



General Assembly

January Session, 2025

**Committee Bill No. 6338**

LCO No. 5854



Referred to Committee on HOUSING

Introduced by:  
(HSG)

***AN ACT PERMITTING REMOVAL OF AN UNAUTHORIZED  
INDIVIDUAL FROM REAL PROPERTY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

2 (1) "Dwelling unit", "owner", "rental agreement" and "tenant" have  
3 the same meanings as provided in section 47a-1 of the general statutes;  
4 and

5 (2) "Unauthorized person" means any individual who is unlawfully  
6 occupying real property and who is not (A) a current or former tenant  
7 of the owner of the real property, or (B) immediate family, as defined in  
8 section 1-91 of the general statutes, of the owner of the real property.

9 (b) Any owner of real property, or such owner's authorized agent,  
10 may request from a state marshal the immediate removal of any  
11 unauthorized person pursuant to this section if:

12 (1) The person requesting such removal is the owner of the real  
13 property, or such owner's authorized agent, that is being occupied by  
14 such unauthorized person;

15 (2) Such unauthorized person has unlawfully entered and remains or  
16 continues to reside on such owner's real property;

17 (3) Such owner or such owner's authorized agent has directed such  
18 unauthorized person to leave such owner's real property;

19 (4) Such unauthorized person cannot produce documentation,  
20 correspondence or identification cards issued by any governmental  
21 agency identifying that such unauthorized person resided on such real  
22 property during the immediately preceding twelve months;

23 (5) Such unauthorized person cannot produce a lease signed by such  
24 owner of real property, or such owner's authorized agent; and

25 (6) There is no pending litigation related to such real property  
26 between such owner of real property and such unauthorized person  
27 occupying such real property.

28 (c) To request the immediate removal of any unauthorized person,  
29 the owner of the real property, or such owner's authorized agent, shall  
30 submit a completed Affidavit Concerning the Removal of Persons  
31 Unlawfully Occupying A Dwelling Unit to a state marshal. The  
32 submitted affidavit shall be in substantially the following form:

33 AFFIDAVIT CONCERNING THE REMOVAL OF PERSONS  
34 UNLAWFULLY OCCUPYING A DWELLING UNIT

35 I, the owner or authorized agent of the owner of the real property  
36 located at ... .., declare under the penalty of perjury that (initial each  
37 box):

38 1. ... .. I am the owner of the real property or the authorized agent of  
39 the owner of the real property.

40 2. ... .. I purchased the property on ... ..

41 3. ... .. An unauthorized person or persons have unlawfully entered  
42 and are remaining or residing unlawfully on the real property.

43       4. ... .. I have directed the unauthorized person or persons to leave  
44 the real property, but they have not done so.

45       5. ... .. The person or persons are not current or former tenants  
46 pursuant to any valid lease authorized by the property owner, and any  
47 lease that may be produced by an occupant is fraudulent.

48       6. ... .. The unauthorized person or persons sought to be removed are  
49 not an owner or a co-owner of the property and have not been listed on  
50 the title to the property unless the person or persons have engaged in  
51 slander of the title.

52       7. ... .. The unauthorized person or persons are not immediate family  
53 members of the property owner.

54       8. ... .. There is no litigation related to the real property pending  
55 between the property owner and any person sought to be removed from  
56 the real property.

57       9. ... .. I understand that a person or persons removed from the  
58 property pursuant to this procedure may bring a cause of action against  
59 me for any false statements made in this affidavit, and that as a result of  
60 such action I may be held liable for actual damages, penalties, costs, and  
61 reasonable attorney's fees.

62       10. ... .. I am requesting the state marshal to immediately remove the  
63 unauthorized person or persons from the property.

64       11. ... .. A copy of my valid government-issued identification is  
65 attached, or I am an agent of the property owner, and documents  
66 evidencing my authority to act on the property owner's behalf are  
67 attached.

68 I HAVE READ EVERY STATEMENT MADE IN THIS AFFIDAVIT  
69 AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND  
70 THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE MADE  
71 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN

72 SECTION 53A-156 OF THE GENERAL STATUTES.

73 Signed this .... day of ...., 20...

74 Witnessed by ....

75 ....

76 (Acknowledgment)

77 (d) Upon receipt of an affidavit pursuant to subsection (c) of this  
78 section, the state marshal shall verify that the person submitting such  
79 affidavit is the record owner of the real property or the authorized agent  
80 of such record owner and appears otherwise entitled to relief under this  
81 section. If verified, the state marshal shall, without delay, serve a notice  
82 to immediately vacate on any unauthorized person occupying such real  
83 property and shall put such record owner of such real property in  
84 possession of such real property. Service may be accomplished by hand  
85 delivery of the notice to an occupant of the real property or by posting  
86 such notice on the front door or entrance of such real property. Such  
87 state marshal shall attempt to verify the identity of each person  
88 occupying the dwelling and note such identity on the return of services.

89 (e) Any person may bring a civil cause of action against the owner of  
90 the real property or such owner's authorized agent for wrongful  
91 removal under this section. A person harmed by a wrongful removal  
92 under this section may be restored to possession of the real property and  
93 may recover actual costs and damages incurred, statutory damages  
94 equal to triple the fair market rent of the dwelling, court costs and  
95 reasonable attorney's fees.

96 (f) Any owner or such owner's authorized agent who makes a false  
97 statement in an affidavit submitted to a state marshal pursuant to the  
98 provisions of subsection (c) of this section shall be subject to the  
99 penalties for false statement under section 53a-157b of the general  
100 statutes.

101 (g) Any unauthorized person who is served a notice to immediately  
102 vacate the owner's real property pursuant to the provisions of  
103 subsection (d) of this section shall be subject to the penalties for criminal  
104 trespass in the second degree under section 53a-108 of the general  
105 statutes.

106 (h) This section does not limit the rights of any owner of real property  
107 or limit the authority of any law enforcement officer to arrest any  
108 unlawful occupant for trespassing, vandalism, theft or other crimes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section

***Statement of Purpose:***

To allow law enforcement to remove an individual who is unlawfully occupying real property in lieu of requiring a summary process action.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. GONZALEZ, 3rd Dist.; SEN. SAMPSON, 16th Dist.  
REP. SANCHEZ R., 25th Dist.; REP. SCOTT, 112th Dist.  
REP. ZULLO, 99th Dist.; REP. WEIR, 55th Dist.  
REP. MASTROFRANCESCO, 80th Dist.

H.B. 6338