



**TESTIMONY FOR  
INFORMATIONAL HEARING ON THE CONTINUATION OF EMERGENCY DECLARATIONS AND  
LIMITED EXECUTIVE ORDERS**

**KILEY GOSSELIN  
PARTNERSHIP FOR STRONG COMMUNITIES  
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**Testimony on  
Executive Order 12D & Extension of Public Health Emergency**

Senator Abrams, Representative Steinberg, Senator Anwar, Senator Kushner, Representative Gilchrest, Senator Hwang, Senator Somers, Representative Petit, and distinguished members of the Public Health Committee, thank you for considering my testimony in support of retaining Executive Order 12D. My name is Kiley Gosselin. I am Executive Director at the Partnership for Strong Communities (PSC). PSC is a statewide policy and advocacy organization dedicated to ensuring that every Connecticut resident has a safe, stable place to call home in a community of their choice where they can thrive.

**Executive Order 12D: Extension of Certain Eviction Protections**

As of today, almost all of the UniteCT budget has been committed, but almost half of it – nearly \$200,000,000 -- has not yet been paid out. New applications are expected to be “paused” when the Governor’s emergency orders end on February 15th. The payout of UniteCT funds on behalf of those who applied before February 15th, however, is expected to extend until mid- to late-summer. Moreover, DOH has applied for additional federal funds and it is possible that a modest amount may yet be received before the program closes. Meanwhile, in January more than 50,000 Connecticut renters reported that it was somewhat or very likely that they would face eviction in the next two months.

With this in mind, we urge that, by legislative action, EO 12D be retained or codified in modified form. We have supplied language to accomplish this. I have included that language at the end of this testimony. A few key components of this proposal include:

Pay the landlord and keep tenants in place: It is vital to prevent landlords who will be paid under UniteCT from completing the eviction of a tenant while waiting for a UniteCT payment. Therefore, Section 2(c) of our proposal stays evictions of tenants with pending UniteCT completed applications until the landlord is paid (or the application is denied). A paid landlord is required by UniteCT to withdraw the eviction.



Suspend tenant protections tied to UniteCT applications rather than terminate them:

Based on what we have been told by the DOH, suspension of new applications is expected to occur on or about February 15th. Section 2(a) of our proposal maintains that 12D requirements related to new applications should not be terminated, because UniteCT may receive further funding, thus they may again become applicable. These protections should be suspended during periods when new applications are not being accepted and automatically spring back when applications are being accepted.

Preserve 30-day duration of notice to quit: Section 2(b) of our proposal would preserve, for the duration of the payout period, the 30-day notice to quit with a right to cure. Even without UniteCT, a 30-day cure period gives tenants with a small arrearage a chance to get caught up. For tenants who must vacate, whether the State of Emergency is formally extended or not, the reality is that the pandemic has made it extremely difficult for such evicted tenants to find a new apartment in a very short period of time. Early return to a 3-day notice to quit will be damaging to tenants.

Sunset Provision: Section 3 terminates the proposal when UniteCT has paid out all funds.

The language provided preserves the core purpose of UniteCT, which is to minimize the spread of COVID that results from the eviction of tenants, while paying landlords who are owed back rent. This approach also self-adapts to what is essentially a phase-out of the UniteCT program. It is keyed into two specific events for which the explicit dates are not yet known: (1) the date that UniteCT stops accepting applications and (2) the date that all UniteCT payments have been made. Thus, the relevant provisions of EO 12D will remain in effect when they are most applicable and will be suspended when they are not. Ultimately, all these protections would end when UniteCT no longer has funds.

We greatly appreciate your consideration of this proposal that continues to provide eviction protection to tenants and ensures that landlords are paid. We welcome the opportunity to speak with you all about this proposal.

**Extension of Public Health Emergency for Continuation of FEMA Coverage for Non-Congregate Housing**

Continue the declaration of the public health and civil preparedness emergencies as several federal funding sources are contingent on this continuation. This includes FEMA coverage of 100% of non-congregate housing sources. These resources have been critical in ensuring that our residents experiencing housing instability are able to remain safely housed during the ongoing public health crisis.

Executive Order 7P-1 authorizes the Commissioner of Public Health, Secretary of the Office of Policy and Management, and Commissioners of Emergency Services and Public Protection and Housing to provide or arrange non-congregant housing with sufficient physical distancing capacity for people who, from the nature of their existing housing or working environments, are at



increased risk of exposure to, infection with, or transmission of COVID-19, and to seek reimbursement for any resulting expenditures from appropriate federal agencies or other sources.

Thank you for the opportunity to submit this testimony.



## APPENDIX: Proposed Legislative Language for Executive Order 12D Extension

### AN ACT EXTENDING EXECUTIVE ORDER 12D

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

Section 1 (Effective February 15, 2022) For the purposes of this act, (a) “UniteCT” or the “UniteCT program” is the State of Connecticut’s program to implement the emergency rental assistance programs established by section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (December 27, 2020) and section 3201 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (March 11, 2021) and (b) “UniteCT Flyer” is the flyer for the UniteCT program posted by the Department of Housing on its internet website at <https://portal.ct.gov/DOH/DOH/Programs/UniteCT> or at such other internet location determined by the Department of Housing.

Section 2 (Effective February 15, 2022). (a) Except during any time period during which UniteCT is no longer accepting new applications for rental assistance, and notwithstanding any contrary provision of 47a-23 and 47a-23a of the Connecticut General Statutes, prior to the delivery of a notice to quit for nonpayment of rent, the owner or lessor of any residential land or building, any apartment in any building, any dwelling unit, any trailer, or any land upon which a trailer is used or stands, or the owner's or lessor's legal representative, or the owner's or lessor's attorney-at-law, or in-fact, shall complete and submit the landlord’s portion of an application to UniteCT. Such notice to quit for nonpayment of rent shall include the relevant UniteCT case number. In addition to any other requirements imposed by state or federal law, all residential notices to quit shall be delivered with an English and a Spanish copy of the State of Connecticut’s UniteCT Flyer. The inclusion of such copies shall not render the notice to quit equivocal.

(b) Notwithstanding any contrary provision of sections 47a-23 and 47a-23a of the Connecticut General Statutes, when the owner or lessor, or the owner's or lessor's legal representative, or the owner's or lessor's attorney-at-law, or in-fact, desires to obtain possession or occupancy of any residential land or building, any apartment in any building, any dwelling unit, any trailer, or any land upon which a trailer is used or stands, and (A) when a rental agreement or lease of such property,

whether in writing or by parol, terminates by (I) lapse of time or (II) for nonpayment of rent, or (B) when one originally had the right or privilege to occupy such premises but such right or privilege has terminated, such owner or lessor, or such owner's or lessor's legal representative, or such owner's or

lessor's attorney-at-law, or in-fact, shall give notice to each lessee or occupant to quit possession or occupancy of such land, building, apartment or dwelling unit, at least thirty days before the



time specified in the notice for the lessee or occupant to quit possession or occupancy. Such notice to quit shall not permit the termination of the rental agreement until after the date specified to each

lessee or occupant to quit possession or occupancy of such land, building, apartment or dwelling unit. A use and occupancy disclaimer included in or combined with such notice to quit shall not take effect until after the date specified in the notice for the lessee or occupant to quit possession or occupancy or the date of the completion of any pretermination process required by federal law or regulations, whichever is later. If, at the expiration of the thirty days prescribed herein, the lessee or occupant has not remedied any nonpayment of rent, including but not limited to through the approval of an application for rental assistance from UniteCT, and neglects or refuses to quit possession or occupancy of the premises, any commissioner of the Superior Court may issue a writ, summons and complaint in accordance with the provisions of Section 47a-23a of the Connecticut General Statutes.

(c) Notwithstanding any deadlines or any time requirements for advancement of pleadings in Title 47a of the Connecticut General Statutes, if, during the course of any summary process proceeding, a complete application for rental assistance from UniteCT is pending with the Department of Housing, further proceedings in the summary process action shall be stayed until a decision is made on the application, and, if such application is approved, until such UniteCT payment is made and the summary process action is withdrawn or dismissed.

Section 3 (Effective February 15, 2022). This act shall terminate upon completion of all payouts under the UniteCT program.

STATEMENT OF PURPOSE: To extend the provisions of Executive Order for the duration of the UniteCT rental assistance program.

