

A Guide to Housing Matters



State of Connecticut Judicial Branch
Superior Court

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www.jud.ct.gov



History of Housing Court

Connecticut started its Housing Courts in 1979 to help what is now the Hartford and New Britain Judicial Districts. Today, these courts also help the judicial districts of Fairfield, New Haven, Waterbury and Stamford-Norwalk. A list of these courts and their addresses and telephone numbers is in this booklet.

In parts of the state, housing cases are not handled by Housing Court but are handled by the geographical area or judicial district courts. A listing of the geographical area and judicial district courts where housing cases are started is in this booklet. You can get all housing forms and instructions at those court locations.

Housing Court Structure

In Housing Court there is a judge, a clerk to help people who are representing themselves and at least two (2) housing specialists who only work on housing cases.

Clerk's Office

The clerk's office gives tenants booklets that explain court procedures in language that is easy to understand. Also, most of the forms used in Housing Court have been written in language that is easy to understand.

Housing Specialists

Housing Specialists are court employees who help the court in housing cases. Their main job is to work out housing problems. They work on all housing cases where the parties do not agree.

Housing Specialists help to work out problems between landlords and tenants and can inspect the apartment. Not every housing problem will go to trial. The Housing Specialists may help the parties work out an agreement before trial. This agreement is then reviewed by the judge.

Housing Docket

The Housing Court is divided into five (5) parts. In the criminal part, a criminal case can be started when a Housing Code Inspector brings housing complaints to the Housing Prosecutor who will start a criminal case if a violation of the Housing Code has happened. In the civil part, several types of cases may be decided. Those cases include: actions for back rent, property damage, and return of security deposits; injunctions; entry and detainer (lockouts); administrative appeals; and receiverships. There is no minimum or maximum dollar limit on these cases. Most of the Housing Court cases are decided in the three (3) other parts: Housing Small Claims, Summary Process (Evictions) and Housing Code Enforcement by Tenants.

Court Entry Fees

Summary Process (Evictions) – \$175.00

Small Claims – \$90.00

Housing Code Enforcement – \$25.00

Civil Cases Landlord/Tenant – \$175.00

How to Sue in Housing Small Claims Court

The Housing Small Claims Court works the same as regular Small Claims Courts. If you have a claim for unpaid rent, damages to the premises or return of a security deposit, etc., you can start a Housing Small Claim for amounts up to \$5,000.00.

Summary Process (Eviction)

When a landlord wants to remove a tenant from an apartment, he or she must go to Housing Court and begin an eviction. The following steps must generally be followed in order to evict a tenant. Sometimes the number of steps may be less. This happens when a tenant does not come to court to explain why they should not be evicted.

1. Notice to Quit:

The notice to quit asks that the tenant leave the apartment by a date in the notice. The notice also gives the tenant the reason why the tenant is being asked to leave. The notice to quit is only a request that the tenant voluntarily leave the apartment. The notice to quit is not an order to leave.

2. Summons and Complaint:

A summons is an order for the tenant to come to court and to give (file) a written Appearance form on or before the 2nd (second) day after the return date, which is in the summons. The complaint lists all the reasons for eviction of the tenant. A summons and complaint is delivered after the date in the notice to quit, which asks the tenant to voluntarily leave.

3. Appearance:

A tenant responds to the summons and complaint by filing an Appearance form with the court (the court has the proper form) within two (2) days after the return date.

4. Answer to Complaint:

The tenant should also file an answer (available at the court or you can get it online at <http://www.jud2.ct.gov/webforms>). The answer agrees or disagrees with various portions of the complaint or says that the tenant does not know. The answer also lists possible reasons why the tenant should not be evicted (special defenses to the eviction proceedings).

5. Trial:

Shortly after filing an answer, the court will send the tenant a Notice of Court Hearing, which will give the time and date of the trial. At the trial, the landlord will have to show evidence to prove his or her complaint. The tenant should be ready to answer the landlord's claims. The landlord and tenant may have witnesses testify and may show evidence to prove their claims. All parties, on the day of trial, will have a chance to settle their case with the help of a housing specialist.

6. Judgment and Execution:

If the case goes to trial, the court will let the parties know the judge's decision, which is called a judgment. A judgment for the landlord is not an order for the tenant to leave the apartment. It means that the judge has decided the case for the landlord and the landlord has a right to ask the court for an order of execution requiring the tenant to move.

The clerk issues the order. After the order is issued, it must be given to a state marshal for proper service (delivery to the tenant). The marshal then delivers the execution to the tenant. The marshal is required to use reasonable efforts to find and let the tenant know the date and time of the eviction. After the time, the marshal can physically remove the tenant's possessions and put them on the street.

7. Stay of Execution:

A tenant may ask for more time before being ordered to leave his or her apartment by filing a request for a stay of execution. The length of the stay can be up to six (6) months in cases that do not deal with the nonpayment of rent, nuisance, serious nuisance or where the occupant never had a right or privilege to occupy or be in the apartment.

In the case of nonpayment of rent, a tenant who deposits with the clerk of the court the full amount of rent due within five (5) days of the date that the judgment was entered, may apply for a stay of up to three (3) months.

Housing Code Enforcement

Under a law called "Housing Code Enforcement by Tenants," a tenant may file a complaint against his or her landlord to correct certain housing code violations.

To start the case, the tenant fills out a complaint form at the court clerk's office and begins paying his or her rent into the court clerk's office. If the tenant wins, the court has the power to enforce certain orders. The landlord may file a counterclaim against the tenant. When the case is over, the court may order the rent that was paid to the court to be paid to the landlord or to the tenant or to both.

Conclusion

This pamphlet should not be used instead of the help of an attorney. It is meant to give people in housing cases a quick and easy understanding of some of the procedures used in Connecticut Housing Courts. If you have a housing problem, you should talk with an attorney. If you do not know an attorney, you may call a Lawyer Referral Service, which will help you find an attorney. If you cannot pay for an attorney, call your local legal aid or legal services office.

Superior Court Housing Session Locations

<i>Address</i>	<i>Telephone</i>
Fairfield Judicial District Superior Court Housing Session 1061 Main Street Bridgeport, CT 06604	(203) 579-6936
Hartford Judicial District Superior Court Housing Session 80 Washington Street Hartford, CT 06106	(860) 756-7920
New Britain Judicial District Superior Court Housing Session 20 Franklin Square New Britain, CT 06051	(860) 515-5130
New Haven Judicial District Superior Court Housing Session 121 Elm Street New Haven, CT 06510	(203) 789-7937
Stamford-Norwalk Judicial District Superior Court Housing Session 17 Belden Avenue Norwalk, CT 06850	(203) 846-4332
Waterbury Judicial District Superior Court Housing Session 300 Grand Street Waterbury, CT 06702	(203) 591-3310

Superior Court Geographical Area Court Locations

<i>Court</i>	<i>Address</i>	<i>Telephone</i>
G.A. 3	146 White Street Danbury, CT 06810	(203) 207-8600
G.A. 5	106 Elizabeth Street Derby, CT 06418	(203) 735-7438
G.A. 10	112 Broad Street New London, CT 06320	(860) 443-8343
G.A. 11	120 School Street Danielson, CT 06239	(860) 779-8480
G.A. 18	80 Doyle Road P.O. Box 667 Bantam, CT 06750	(860) 567-3942
G.A. 21	1 Courthouse Square Norwich, CT 06360	(860) 889-7338

Superior Court Judicial District Court Locations

<i>Address</i>	<i>Telephone</i>
Middlesex Judicial District 1 Court Street Middletown, CT 06457	(860) 343-6400
New Haven Judicial District at Meriden 54 West Main Street Meriden, CT 06450	(203) 238-6667
Tolland Judicial District 69 Brooklyn Street Rockville, CT 06066	(860) 875-6294