

A Tenant's Guide to Summary Process (Steps in an Eviction Action)



State of Connecticut Judicial Branch
Superior Court



A summary process (eviction action) can be an overwhelming and stressful experience. If you or your family are feeling anxious or overwhelmed about your eviction action, please see the list of Additional Resources for Tenants Facing Eviction at the end of this pamphlet. Other resources are available at the state and local level and can be obtained by dialing 211 or by visiting www.211ct.org. Many organizations require a referral from 211 to access services.

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, in accordance with the ADA, contact a Judicial Branch employee or an ADA contact person listed at www.jud.ct.gov/ada/.

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INTRODUCTION

This pamphlet is designed to inform you of the basic steps in an eviction action, which is also known as a summary process action. It is not intended as a substitute for the advice of an attorney. The Judicial Branch is not responsible for any errors or omissions in this pamphlet. If you feel you need more information or assistance, you should talk to an attorney or read the appropriate sections of the Connecticut General Statutes and Connecticut Practice Book.

APPEARANCE AND ANSWER

After you are served with an eviction summons and complaint, the first step in representing yourself is to file a form known as an Appearance (see form JD-CL-12 on page 10) no later than 2 days after the Return Date on your summons. The appearance form is available online at <https://www.jud.ct.gov/webforms/forms/CL012.pdf>, or at the clerk's office. Your appearance lists your name, address, telephone number and signature. Your landlord is the Plaintiff, and you are the Defendant.

After completing your appearance form, you may file an Answer (see form JD-HM-5 on page 12) to the complaint. The answer form is available online at <https://www.jud.ct.gov/webforms/forms/HM005.pdf>, or at the clerk's office. You must read each numbered paragraph of the complaint and select your response on the answer form. Responses include "Agree," "Disagree," or "Do Not Know". There are also several special defenses listed on the answer form. You may check any that apply to you and fill in the blanks, as appropriate. Additional comments may be written at the bottom of the form. Be sure to sign the form.

In addition to filing the original appearance and answer, you must also immediately mail a copy of them to your landlord or your landlord's attorney, if there is one; failure to do this may result in you losing the case. If you have selected any applicable special defenses, the landlord must file a reply to them before a mediation and trial is scheduled.

A mediation with a Housing Mediator and a trial before a judge will be scheduled in your case. These two events may be scheduled on the same day: if you and your landlord do not settle your case in mediation, you may proceed directly to a trial. The clerk's office will notify you of the trial date by mailing you a Notice of Court Hearing.

TRIALS

Unless your trial will be held virtually, it is important that you come to court on the trial date listed on the Notice of Court Hearing, or you may lose your case. You must be at the court on time. You must bring any witnesses, papers or receipts that you may have; without these things you may lose your case. If a witness will not come to court voluntarily, you may apply for a subpoena at the clerk's office at least 2 days before the scheduled trial date. If a judge grants the application, a subpoena will issue. The subpoena must be served on your witness at least 18 hours before your trial date and time. The state marshal will charge you a fee to serve the subpoena.

Unless your trial will be held virtually, on the day of your mediation and trial, your case will be called by the courtroom clerk. When this happens, you must tell the clerk you are present. After your case is called, you and your landlord or landlord's attorney will meet with a Housing Mediator. The Housing Mediator will help you and your landlord come to a written agreement. The agreement will be reviewed by the judge. If the judge approves of the agreement, then a copy of the agreement will be given to you.

You are not required to reach an agreement with your landlord during mediation. If you do not reach an agreement, there will be a trial. The judge will hear the case and make a decision based on the evidence. The judge will either announce the decision in court or notify you by mail.

If you need an interpreter, you must contact the clerk's office at least 2 days before any hearing date.

JUDGMENTS

After trial, if the judge rules in your favor, you may stay in the premises. If you lose the case, you will have 5 days to leave the premises, not including the date of judgment, Sundays and legal holidays.

If the judgment against you is based on nonpayment of rent, you may apply for a stay of execution for up to 3 months. The execution is used to remove you from the premises. In order to receive a stay, you must do both of the following things within 5 days from the date of judgment, not including the date of judgment, Sundays and legal holidays.

- A. Deposit with the court, in person, the full amount of the arrearage (back rent and/or use and occupancy) owed to your landlord. This can be paid only by certified check or money order payable to Clerk of the Superior Court, or by cash, and
- B. When making this deposit, file a completed Stay of Execution Application (form JD-HM-21), available online at <https://www.jud.ct.gov/webforms/forms/HM021.pdf>, or at the clerk's office.

A court hearing may then be scheduled on the Stay of Execution Application. If so, you will be notified of the date and time of hearing either immediately in person by the clerk, or by mail. At the hearing, the amount of time you may stay in the premises may be decided by the judge.

If the judgment against you is based on lapse of time, or that a previous right or privilege to occupy the premises has terminated, you also have the right to apply for a stay. You may file a Stay of Execution Application. A court hearing may then be scheduled. If so, you will be notified of the date and time of hearing either immediately in person, or by mail. At the hearing, the length of your stay of execution, up to a maximum of 6 months, may be decided by the judge.

If you do not move voluntarily when your stay of execution period ends, or if you have violated any conditions, the court may issue an execution.

If you do not make a payment that was agreed to or ordered by the court, the landlord must file an affidavit, and send a copy to you, before an execution may issue.

If you disagree with the landlord's affidavit, you may promptly file an Objection (form JD-HM-26). The objection form is available online at <https://www.jud.ct.gov/webforms/forms/HM026.pdf>, or at the clerk's office. If you do nothing, an execution may issue as early as the 3rd business day after the affidavit is filed. Your belongings may then be physically removed by the state marshal and delivered to a designated place of storage. If your belongings are removed and stored, and within 15 days you do not claim them and pay the storage expenses, those belongings may be sold by the town.

LEGAL AID AND LAWYER REFERRAL

If you need additional assistance, legal advice or representation, you should contact an attorney. You may get an attorney by contacting a Lawyer Referral Service office, or, if you qualify, a Legal Aid Office. (See page 7 for a listing of these services.)

Note: Only the clerk's offices of the Housing Sessions may provide procedural assistance to self-represented parties.

LEGAL AID OFFICES

AGENCY	TELEPHONE
<p>For initial screening of requests for legal assistance from legal aid programs in Connecticut:</p> <p style="text-align: center;">STATEWIDE LEGAL SERVICES, INC. (860) 344-0380 (Hartford, Central Connecticut, Middletown Areas) 1-800-453-3320 (All Other Regions)</p>	
<p>Greater Hartford Legal Assistance <i>Hartford Office:</i></p>	(860) 541-5000
<p>New Haven Legal Assistance, Association, Inc. <i>New Haven Office:</i></p>	(203) 946-4811
<p>Connecticut Legal Services, Inc. <i>Regional Offices:</i> Bridgeport New Britain New London Stamford Waterbury Willimantic <i>Satellite Locations:</i> Danbury Meriden/Middletown Norwalk Norwich Rockville</p>	(203) 336-3851 (860) 225-8678 (860) 447-0323 (203) 348-9216 (203) 756-8074 (860) 456-1761 1-800-541-8909 (860) 225-8678 (203) 348-9216 (860) 447-0323 1-800-413-7796
<p>AIDS Legal Network</p>	(860) 541-5000 1-888-380-3646

**LAWYER REFERRAL
SERVICE OFFICES**

LOCATION	TELEPHONE
Fairfield County	(203) 335-4116
Hartford, Litchfield, Middlesex, Tolland and Windham Counties	(860) 525-6052
New Haven County	(203) 562-5750
New London County	(860) 889-9384 M/W/F

SUPERIOR COURT HOUSING SESSION LOCATIONS

LOCATION	TELEPHONE
Fairfield Judicial District Superior Court - Housing Session 1061 Main Street Bridgeport, CT 06604	Tel: (203) 579-6936 Fax: (203) 579-7291
Hartford Judicial District Superior Court - Housing Session 80 Washington Street Hartford, CT 06106	Tel: (860) 756-7920 Fax: (860) 756-7925
New Britain Judicial District Superior Court - Housing Session 20 Franklin Square, Room 211 New Britain, CT 06051	Tel: (860) 515-5130 Fax: (860) 515-5138
New Haven Judicial District Superior Court - Housing Session 121 Elm Street New Haven, CT 06510	Tel: (203) 789-7937 Fax: (203) 773-6795
Stamford/Norwalk Judicial District Superior Court - Housing Session 17 Belden Avenue Norwalk, CT 06850	Tel: (203) 846-4332 Fax: (203) 750-0881
Waterbury Judicial District Superior Court - Housing Session 300 Grand Street Waterbury, CT 06702	Tel: (203) 591-3310 Fax: (203) 596-4080

JUDICIAL DISTRICT COURT LOCATIONS HANDLING HOUSING MATTERS

Judicial District at Meriden
54 West Main Street
Meriden, CT 06450
(203) 238-6667

Judicial District at Tolland
69 Brooklyn Street
Rockville, CT 06066
(860) 875-6294

Judicial District of Danbury
146 White Street
Danbury, CT 06810
(203) 207-8600

Judicial District of Litchfield
at Torrington
50 Field Street
Torrington, CT 06790
(860) 626-2100

Judicial District at Middlesex
1 Court Street
Middletown, CT 06457-3374
(860) 343-6400

Judicial District of Ansonia-Milford
at Milford
14 West River Street
Milford, CT 06460
(203) 877-4293

Judicial District of New London
at New London
70 Huntington Street
New London, CT 06320
(860) 443-5363

Judicial District of New London
at Norwich
1 Courthouse Square
Norwich, CT 06360
(860) 887-3515

Judicial District of Windham
at Putnam
155 Church Street
Putnam, CT 06260
(860) 928-7749

APPEARANCE

JD-CL-12 Rev. 9-13
P.B. §§ 3-1 thru 3-6, 3-8, 10-13, 25A-2

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Instructions — See Back/Page 2
ADA Notice — See Back/Page 2

Notice To Self-Represented Parties

A self-represented party is a person who represents himself or herself. If you are a self-represented party and you filed an appearance before and you have since changed your address, you must let the court and all attorneys and self-represented parties of record know that you have changed your address by checking the box below:

I am filing this appearance to let the court and all attorneys and self-represented parties of record know that I have changed my address. My new address is below.

Return date
Docket number

Name of case (Full name of Plaintiff vs. Full name of Defendant)

<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	<input type="checkbox"/> Small Claims	<input type="checkbox"/> Geographic Area number	Address of Court (Number, street, town and zip code)
Scheduled Court date (Criminal/Motor Vehicle Matters)				

Please Enter the Appearance of

Name of self-represented party (See "Notice to Self-Represented Parties" at top), or name of office, firm, professional corporation, or individual attorney	Juris number of attorney or firm
---	----------------------------------

Mailing Address (Number, street) (Notice to attorneys and law firms - The address to which papers are mailed from the court is the one registered or affiliated with your juris number. That address cannot be changed in this form.)	Post office box	Telephone number (Area code first)
City/town	State	Zip code
		Tax number (Area code first)
E-mail address		

in the case named above for: ("x" one of the following parties; if this is a Family Matters case, also indicate the scope of your appearance)

- The Plaintiff (includes the person suing another person)
- All Plaintiffs.
- The following Plaintiff(s) only: _____
- The Defendant (includes the person sued or charged with a crime).
- The Defendant for the purpose of the bail hearing only (in criminal and motor vehicle cases only).
- All Defendants
- The following Defendant(s) only: _____
- Other (Specify): _____
- This is a Family Matters case and my appearance is for: ("x" one or both)
 - matters in the Family Division of the Superior Court
 - Title IV-D Child Support matters

Note: If other counsel or a self-represented party has already filed an appearance for the party or parties "x'd" above, put an "x" in box 1 or 2 below:

- This appearance is in place of the appearance of the following attorney, firm or self-represented party on file (P.B. Sec. 3-8): _____ (Name and Juris Number)
- This appearance is in addition to an appearance already on file.

I agree to accept papers (service) electronically in this case under Practice Book Section 10-13 Yes No

Signed (Individual attorney or self-represented party)	Name of person signing at left (Print or type)	Date signed
--	--	-------------

Certification

I certify that a copy of this document was mailed or delivered electronically or non-electronically on (date) _____ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

Name and address of each party and attorney that copy was mailed or delivered to*				For Court Use Only
Signed (Signature of filer)	Print or type name of person signing	Date signed	Telephone number	

*If necessary, attach an additional sheet or sheets with the name of each party and the address which the copy was mailed or delivered to.

Instructions

1. Type or print.
2. **For Criminal and Motor Vehicle cases:** Fill out the form, including the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy of the appearance to the prosecutor. (*Sections 3-4(d) and 3-5 of the Connecticut Practice Book*)
3. **For Civil , Eviction (Summary Process), and Small Claims cases:** Fill out the form, including the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record. If a party who has been defaulted for failure to appear files an appearance before the entry of judgment after default, the default will automatically be set aside by the clerk. (*Sections 3-4(a), 3-4(b), 3-5 and 17-20 of the Connecticut Practice Book*)
4. **For Family cases:** Fill out the form, including the certification section at the bottom of the form. In addition to selecting plaintiff or defendant, indicate the scope of your appearance. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record. (*Sections 3-4(a) and 3-5 of the Connecticut Practice Book*)
5. **For Juvenile cases:** Do not use this form. Use form JD-JM-13 Appearance, Juvenile Matters.
6. **For Self-represented parties who have changed their address after filing an appearance:** Check the box at the top of the other side or page 1 of this form. Fill out the form, including your new address in the Mailing Address section of this form. Fill out the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record or, in a criminal case, to the prosecutor.

JD-CL-12 (Back/Page 2) Rev. 9-13

ADA NOTICE

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**SUMMARY PROCESS (EVICTION)
ANSWER TO COMPLAINT**

JD-HM-5 Rev. 8-19
C.G.S. §§ 47a-4a, 47a-5, 47a-7, 47a-15, 47a-20,
47a-20e, 47a-23c, 47a-33, 47a-57, 49-31p

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STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



COURT USE ONLY	
ANSWER	ASD

Name of case	Docket number
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<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	Address of Court (Number, street, and town)
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Section 1 — Summary Process (Eviction) Answer

For each numbered paragraph of the landlord's Complaint, select whether you **Agree, Disagree, or Do Not Know.**

- | | | | | | |
|-----------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|
| 1. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> | 5. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> |
| 2. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> | 6. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> |
| 3. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> | 7. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> |
| 4. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> | 8. Agree <input type="checkbox"/> | Disagree <input type="checkbox"/> | Do Not Know <input type="checkbox"/> |

Section 2 — Special Defenses (Facts showing the court that the plaintiff has no legal right to evict you.)

Not all the special defenses listed below may apply to the reason(s) for eviction claimed by the landlord's complaint. Select the special defenses that show the court that the plaintiff has no legal right to evict you and provide the information requested.

- a. All rent has been paid to my landlord.
- b. Rent was offered to my landlord on (date): _____ which was before I received the Notice to Quit.
- c. No rent is due under Connecticut law because of the housing code violations listed below:
- _____
- d. I notified my landlord, Housing Code, the Health Department, and/or the Building Department of the violations listed in section c, above, on (date) _____.
- e. This eviction is being brought because I contacted my landlord and/or public officials or agencies to complain about my apartment.
- f. I filed a rent increase complaint with the Rent Commission on (date): _____.
- g. I live in a building or complex with 5 units or more in a mobile manufactured home park and
- I have a physical or mental disability, or
- I am 62 years old or older or
- my spouse, sibling, parent or grandparent is 62 years old or older and permanently lives with me, or
- my spouse, sibling, parent or grandparent has a physical or mental disability and permanently lives with me.
- h. This eviction was brought after foreclosure, and
- I have a written lease that is still in effect, or
- I never received a 90 day letter (notice) before the notice to quit was delivered (served).
- i. I remedied the issue(s) listed in the termination notice delivered to me under Connecticut law.

Additional information: _____

Defendant's (Tenant's) Certification

I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on (date) _____ to all attorneys and self-represented parties of record, and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

Name and address of each party and attorney that copy was mailed or delivered to: _____

Signed (Attorney or self-represented party)	Print or type name of person signing
Mailing address	Telephone number

ADDITIONAL RESOURCES FOR TENANTS FACING EVICTION

Other resources are available at the state and local level and can be obtained by dialing 211 or by visiting www.211ct.org. Many organizations require a referral from 211 to access services.

1. If you or your family are feeling anxious or overwhelmed about your eviction action, please see below for mental health services in CT:

A. The CT Department of Mental Health and Addiction Services (DMHAS) provides lists of local, state-operated, DMHAS-funded, addiction and other mental health services. Services are listed by geographic area.

To find mental health services in your area:

<https://portal.ct.gov/DMHAS/Programs-and-Services/Finding-Services/Finding-Services> or 860-418-6962.

To find crisis services in your area:

<https://portal.ct.gov/DMHAS/Programs-and-Services/Finding-Services/Crisis-Services>. For substance abuse treatment 24/7 call the Access Line at 1-800-563-4086.

B. The CT Department of Children and Families (DCF) has information regarding community based mental health services for children and their families, which are generally provided in the home or community. Please see below for more information and contacts:

<https://portal.ct.gov/DCF/Community-Mental-Health-Services/Home>

C. Help through Mental Health Connecticut (MHC):

MHC is a nonprofit organization that offers programs and services in Bridgeport, Danbury, Stamford, Torrington, Waterbury and West Hartford. Call their free information line at 1-800-842-1501 or email information@mhconn.org for information about support groups, mental health information, behavioral health services or other resources.

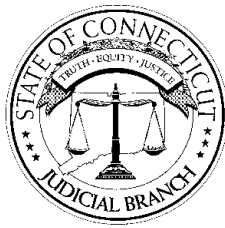
Additional information can be found at:

<https://www.mhconn.org/education/information/>

2. If you are looking to prevent homelessness or for information on emergency shelter placement, please see the below information:
 - A. For up to date information regarding homeless services including emergency shelter placement or housing assistance, call the United Way Infoline: 211 from anywhere in Connecticut or 1-800-203-1234 and press #3 and #1 to be connected with an intake specialist; if you are hearing impaired, use the TTY number: 1-800-671-0737. Note that many agencies require a referral through 2-1-1 and will not accept individual or direct calls without the referral.
 - B. For the City of New Haven: The Office of Housing & Homeless Services can provide information for local services. Tel: 203-946-6033.
 - C. For Veterans: The Veterans Affairs Connecticut Healthcare System provides support for veterans facing homelessness. Infoline: 1-877-424-3838; Errera Community Center, 114-52 Boston Post Road, West Haven, CT 06516, Tel: 203-932-5711 Ext. 1361.
3. If you are looking for information on rental assistance programs, please see below:
 - A. Temporary Rental Housing Assistance Program through the Department of Housing: This program is available as of July 15, 2020 and was created in response to the COVID-19 pandemic. All potential applicants should call the Centralized Call Center of Threshold Eligibility at 1-860-785-3111 to determine eligibility, prior to completing an application. Additional information can be found at:
<https://portal.ct.gov/DOH/DOH/Programs/Temporary-Housing-Assistance-Initiatives>
 - B. Rental Assistance Program (RAP) and Housing Choice Voucher Program (also known as Section 8): These programs are administered by the CT Department of Housing and or local Public Housing Authorities, and provide income based rental assistance vouchers for eligible tenants. Postings for waitlist openings can be found at <http://cthcvp.org/> or by calling 2-1-1.

- C. Site Based Rent Subsidy Programs: These programs can be administered by US Department of Housing and Urban Development (HUD) or by local Public Housing Authorities. Call the HUD office in Hartford to request the guidebook “Looking for HUD-Associated Rental Housing in Connecticut” for a list of HUD funded housing projects by town (860-240-4800).
- D. Public Housing Program: These programs are administered by local Public Housing Authorities and can provide rental housing for eligible low-income families, older adults, and people with disabilities. For a list of housing authorities by town, go to: <https://www.hud.gov/states/connecticut/renting/hawebsites>
4. If you are concerned about discrimination or your rights as a tenant, please contact the CT Fair Housing Center at 860-247-4400 or go to: <https://www.ctfairhousing.org/>
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