



OFFICE OF THE FIRST SELECTMAN

Michael R. Criss
First Selectman, Town of Harwinton

PLANNING & DEVELOPMENT COMMITTEE

March 9, 2022

Good afternoon, my name is Michael R. Criss, I am the First Selectman for the Town of Harwinton and I am submitting testimony regarding H.B. 5171 “An Act Concerning Abandoned & Blighted Property Receivership.”

H.B. 5171 “An Act Concerning Abandoned & Blighted Property Receivership”

Thank you for the opportunity to comment and submit testimony on proposed H.B. 5171 “An Act Concerning Abandoned & Blighted Property Receivership.” On behalf of the Town of Harwinton we support H.B. 5171 as the Town of Harwinton has drafted and adopted a Blight Ordinance for our own community in December, 2016. The town adopted a Blight Ordinance in order to have a mechanism in place to deal with the growing number of abandoned and blighted properties in our community. Ultimately, before this ordinance, abandoned & blighted properties devalued neighborhoods and increased squatting and vandalism. At the time, many of these affected properties were caused by bank foreclosures. Now, the pandemic puts us at risk of more foreclosures and increased abandonments of properties. Originally P.A. 19-92 established a receivership program in the state. However, the act only addressed municipalities with population thresholds of 35,000 or more to utilize the program to rehabilitate abandoned/neglected properties. With the passage of H.B. 5171, the population threshold which was originally created by P.A. 19-92, would be removed and allow all municipalities across the state to utilize this act.

Across the state, many communities and municipalities our size are suffering from an abundance of homes that have been abandoned or deemed blighted. As you know, deteriorating or abandoned properties, whether they be residential, commercial or industrial, create a public safety threat and nuisance and the effects of these blighted properties continue to cause a decline in property values throughout all of our neighborhoods whether they be urban or rural communities. These properties continue to create a financial burden for municipalities as a result of lost tax revenue. Passage of H.B. 5171 will continue to help all cities and small towns alike to reduce the cost and liability of vacant, abandoned and blighted properties and put them back on

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the tax rolls for productive uses. The town of Harwinton encourages the committee to support H.B. 5171 to ensure all municipalities have access to the program.

Thank you for allowing me to submit testimony on behalf of the Town of Harwinton. If you have any further questions, please feel free to contact me at any time.

A handwritten signature in blue ink, appearing to read "M. Criss", is positioned above the typed name.

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General Assembly

February Session, 2022

Raised Bill No. 5171

LCO No. 1240



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING ABANDONED AND BLIGHTED PROPERTY RECEIVERSHIP.

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

1 Section 1. Subsection (b) of section 8-169aa of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2022*):

4 (b) (1) [In any municipality with a population of thirty-five thousand
5 or more, a] Any party in interest may file a petition for the appointment
6 of a receiver to take possession and undertake rehabilitation of a
7 building within such municipality, which petition shall be filed in the
8 superior court for the judicial district in which such building is located.
9 The proceeding on the petition shall constitute an action in rem.

10 (2) (A) The petition shall include a sworn statement of the petitioner
11 that, to the best of his or her knowledge, the building meets the
12 conditions described in subdivision (2) of subsection (c) of this section
13 on the date the petition is filed. The petition shall also include, to the
14 extent available to the petitioner after his or her reasonable efforts to
15 obtain the following information, (i) a copy of any citation or order

16 charging the owner of the building with being in violation of municipal
17 code requirements or determining the building to be a public nuisance,
18 blighted or unfit for human occupancy or use, (ii) a recommendation for
19 appointment as receiver for the building, (iii) a preliminary plan
20 detailing (I) initial cost estimates of rehabilitation of the building for
21 purposes of compliance with the applicable municipal code and plan for
22 the area adopted by the municipality in which the building is located,
23 and (II) anticipated funding sources, and (iv) a schedule of each
24 mortgage, lien or other encumbrance on the building.

25 (B) The petition may include any other property adjacent to the
26 building, provided (i) such other property is owned by the same owner
27 as the building, and (ii) the building and each such property are used
28 for a single or interrelated purpose.

29 (3) A true copy of the petition shall be served on the owner of the
30 building and each lienholder of record, including any municipality,
31 unless such municipality is the petitioner, in the manner provided by
32 section 52-57. In addition, the petitioner shall record a notice of lis
33 pendens with the clerk of such municipality, in the manner provided by
34 section 52-325.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|-----------------|------------|
| Section 1 | October 1, 2022 | 8-169aa(b) |
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Statement of Purpose:

To remove the municipal population threshold for certain parties to petition the Superior Court for appointment of a receiver for a blighted and abandoned property.

[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.]