

A Landlord's Guide to Eviction (Summary Process)



State of Connecticut Judicial Branch
Superior Court



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INTRODUCTION

This pamphlet is designed to inform you of the basic steps in an Eviction (Summary Process) action. It is not a substitute for the advice of an attorney. The Judicial Branch is not responsible for any errors or omissions in this pamphlet. If you need more information or assistance, consult an attorney. This booklet does not address commercial property leases.

NOTICE

Clerks in the housing session will provide assistance to self-represented litigants. However, but they cannot act as your attorney. You are responsible for your actions when you represent yourself. The Judicial Branch is not responsible for any errors or omissions in any forms publications provided to you.

If you need more information or help, consider talking to an attorney. In addition, consider reading the Connecticut General Statutes and Connecticut Practice Book. If you are trying to find an attorney this publication may be helpful whether or not you can afford an attorney.

Judicial Clerks are only allowed to provide assistance. Clerks may not offer legal advice, interpret statutes, rules, orders, or anything similar.

NOTICE TO QUIT

The first step in the eviction procedure is the Notice to Quit (JD-HM-7). Indicate the exact name and address, including the apartment number, floor number or other designation, if any, of each adult tenant you want to evict. There must be an original Notice to Quit and sufficient additional copies for each tenant who lives at the premises. You should also keep one copy for your records.

The Notice to Quit must include at least one reason for eviction. Common reasons are non-payment of rent and termination of lease by lapse of time. Evictions for other reasons are not addressed in this publication.

The Notice to Quit must include the names of all adults living in the premises. If you know there are adults living in the premises, but you do not know their names, you may characterize them as John Doe and/or Jane Doe, as appropriate.

The Notice to Quit must allow the tenant at least three full days to move. This means that there must be three full days between the date the Notice to Quit is served and the last day listed in the Notice to Quit to vacate the premises.

For example, if the Notice specifies that the tenant must move out by May 15, the state marshal must serve the Notice no later than May 11.

Tenants have until midnight of the last day given to them in the Notice to Quit to vacate the premises before you may proceed with the Summons and Complaint, as explained below.

Month-to-Month Tenancy. In nonpayment of rent situations involving oral or written month-to-month tenancies, the Notice to Quit cannot be served until the tenth day after the date the rent was due, not counting the due date. For example, if the rent is due on May 1, the Notice to Quit cannot be served until May 11.

The Notice to Quit may also be served during the month immediately following the nonpayment of rent in a month-to-month tenancy. For example, if the rent due on May 1 is not paid, the Notice to Quit may be served at any time from May 11 through the end of June.

Week-to-Week Tenancy. In nonpayment of rent situations involving oral or written week-to-week tenancies, the Notice to Quit cannot be served until the fifth day after the rent was due, not counting the due date. For example, if the rent is due on May 10, the Notice to Quit cannot be served until May 15.

The Notice to Quit may also be served during the week immediately following the nonpayment of rent in a week-to-week tenancy. For example, if the rent due on May 10 is not paid, the Notice to Quit may be served at any time from May 15 through the end of the next week, which would be May 23.

Lapse of Time. In cases when an oral or written lease has terminated by lapse of time the tenant must be given at least three full days **and** at least until the end of the time period they would normally have been entitled to vacate the premises. For example, in an oral month-to-month lease running from May 1 to May 31, if the Notice to Quit is served on May 20, it must give the tenant at least until the last day of the month, which is May 31. If, however, the Notice to Quit is served on May 28, it must give the tenant until June 1 to vacate.

SERVICE OF NOTICE TO QUIT

The Notice to Quit must be served. Service by a state marshal will satisfy this requirement. The state marshal will charge a fee for service. After the state marshal serves the Notice to Quit, the original will be returned to you, with the state marshal's completed return of service, indicating that service was made.

SUMMONS AND COMPLAINT

If your tenant has not moved after the last day given in the Notice to Quit, you must present the clerk's office with the original Notice to Quit and Return of Service, and a completed Summons and Complaint (JD-HM-32 and JD-HM-8, respectively.)

The clerk will review and sign the paperwork. The return date must also be determined. The return date can be any day of the week except Sundays and holidays. It is not necessary to appear in court on the return date. You must also include the Right to Counsel (RTC) notice along with the summons and complaint. All these documents must be served by a state marshal. The marshal will charge a fee.

After service is complete, you must file all the paperwork with the clerk's office at least four days before the return date on the Summons. When filing these papers, you must pay the entry fee to the clerk by credit card, cash or check payable to Clerk, Superior Court.

DEFAULT JUDGMENTS

The defendant has two days after the return date to file an Appearance. If no Appearance is filed, you may file a Default Judgment for Failure to Appear (JD-HM-9) and a Military Affidavit. The military affidavit must be signed in the presence of a notary, clerk, or Commissioner of the Superior Court.

Before judgment may enter, the landlord must complete and file the CARES Act Affidavit of Compliance (JD-HM-41) form. This form is available at the Housing Clerk's Office, or on the Judicial Branch website.

You must mail a copy of this completed Motion to the defendant and file the original with the court. You will be notified of the judge's ruling by mail.

If the defendant files an Appearance but no response to your Complaint, you may file a Motion for Default Judgment for Failure to Plead (JD-HM-10).

A copy of the Motion must be mailed to the defendant or the defendant's attorney, if there is one, and the original must be filed with the court. You will be notified of the judge's ruling by mail.

When the defendant is represented by an attorney, typically all court documents must be sent to the attorney and not to the defendant.

TRIALS

The defendant may file an Answer and Special Defense. In this case, you must file a Reply to the Special Defense.

When a trial is scheduled, you will be notified of the date and time by mail. It is important to be on time and bring all witnesses, receipts, and related documents to the hearing. If a witness refuses to come to court, you may apply for a subpoena at the clerk's office at least two days before the hearing date. If a judge grants the application, a subpoena will be issued. The subpoena must be served on your witness at least 18 hours before your hearing date and time. The state marshal will charge you a fee to serve the subpoena.

On the day of the trial, you will meet with a Housing Mediator. The mediator will meet with you and the other parties in your case to try to work on an agreement (also called a settlement) so you do not need to have a trial.

You are under no obligation to settle your case. If you do not settle, there will be a trial. The judge will hear the case and make a decision based on the evidence presented.

EXECUTION

If a judgment is entered in your favor, the defendant has five days to move out. During this time, the defendant may apply to the court for additional time to stay in the premises.

You will be notified by mail of the date and time of any hearing if the defendant applies for additional time.

If the defendant has neither vacated the premises after the five days, nor applied for additional time, you may obtain a Summary Process Execution (JD-HM-2). The execution must be completed by you and filed with the court for review and signature. You must give the signed execution to a state marshal for service. The execution requires the defendant to vacate the premises within at least 24 hours, or else be physically removed from the premises. If the defendant's property is also not removed, it will be removed by the marshal and stored.

To get an Execution in cases where a defendant has violated a payment condition in a stipulated judgment, you must file an Affidavit of Non-Compliance (JD-HM-22) and state the missed payment(s).

The defendant may object to this affidavit of noncompliance. If this happens, a hearing may be scheduled.

LAWYER REFERRAL SERVICE

If you need additional assistance, legal advice, or legal representation, you should consult an attorney. You may obtain an attorney by contacting a Lawyer Referral Service office. (See Appendix IV for a listing of Lawyer Referral Service offices.)

Note:

1. If there is more than 1 (one) plaintiff, all plaintiffs may be required to sign pleadings and to appear for all proceedings.
2. Only the clerk's offices of the Housing Sessions are authorized by C.G.S. §51-52(d) to assist parties representing themselves.

APPENDIX I

LISTING OF HOUSING SESSIONS BY TOWN

Bridgeport Housing Session

Bridgeport	Fairfield	Stratford
Easton	Monroe	Trumbull

Hartford Housing Session

Avon	Hartford	Suffield
Bloomfield	Manchester	West Hartford
East Granby	Marlborough	Wethersfield
East Hartford	Newington	Windsor
East Windsor	Rocky Hill	Windsor Locks
Enfield	Simsbury	
Glastonbury	South Windsor	

New Britain Housing Session

Berlin	Newington	Rocky Hill
Bristol	Plainville	Southington
Farmington	Plymouth	Wethersfield
New Britain		

New Haven Housing Session

Bethany	Madison	North Haven
Branford	Meriden	Orange
Cheshire	Milford	Wallingford
East Haven	New Haven	West Haven
Guilford	North Branford	Woodbridge
Hamden		

Stamford Housing Session

Darien	Norwalk	Westport
Greenwich	Stamford	Wilton
New Canaan	Weston	

Waterbury Housing Session

Middlebury	Prospect	Watertown
Naugatuck	Southbury	Wolcott
Plymouth	Waterbury	Woodbury

APPENDIX II

SUPERIOR COURT

HOUSING SESSION LOCATIONS

LOCATION	TELEPHONE
Bridgeport 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) 515-5180 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 Judicial District Superior Court – Housing Session 123 Hoyt Street Stamford, CT 06905	Tel: (203) 965-5308 Fax: (203) 965-5788
Waterbury Judicial District Superior Court – Housing Session 300 Grand Street Waterbury, CT 06702	Tel: (203) 591-3310 Fax: (203) 596-4080

APPENDIX III

JUDICIAL DISTRICT COURT LOCATIONS HANDLING HOUSING MATTERS

Judicial District at Meriden
54 West Main Street
Meriden, CT 06450
(203) 238-6666

Judicial District at Tolland
69 Brooklyn Street
Rockville, CT 06066
(860) 896-4920

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

APPENDIX IV

LAWYER REFERRAL SERVICE OFFICES

LOCATION	TELEPHONE
Hartford, Litchfield, Middlesex, Tolland and Windham Counties	(860) 525-6052 (Hartford)
New Haven County	(203) 562-5750
New London County	(860) 889-9384

eviction HELP^{CT}



**You are facing the
loss of your home
or housing subsidy.
We are here to help.**

The State of Connecticut created a **Right to Counsel** program (CT-RTC) to provide **free legal representation** to income eligible tenants facing eviction or loss of housing subsidy.

The program began in a few communities on January 31, 2022 and will grow over time.

To find out if **free legal representation** is available where you live and if you qualify call **1-800-559-1565** or visit **evictionhelpct.org**

ONLINE LEGAL HELP Go to ctlawhelp.org/eviction to learn about the eviction process and how to respond to eviction notices.

2-1-1 HELPLINE
Call 211 for information and referrals for housing, utility, and food assistance or go to 211ct.org.

GUIDE AND FORM FILLER
Go to cteviction.guide to learn about the eviction process and prepare court forms for your case.

EVICITION PREVENTION FUND
Check your eligibility for UniteCT's Eviction Prevention Fund by visiting unitectprescreen.formstack.com/forms/eviction_prevention

eviction HELP^{CT}



**Usted está en riesgo
de perder su hogar
o su subsidio de
vivienda. Estamos
aquí para ayudarle.**

El estado de Connecticut ha creado el programa “**Derecho a un Abogado**” (CT-RTC, por sus siglas en inglés) con el fin de brindar representación jurídica gratuita a inquilinos de bajos ingresos que corran riesgo de desalojo o pérdida del subsidio de vivienda.

El programa comenzó el 31 de enero de 2022 en un número limitado de comunidades y continuará expandiéndose.

Para averiguar si usted reúne los requisitos para el programa de representación jurídica gratuita o si está disponible en su zona, llame al **1-800-559-1565** o visite **evictionhelpct.org**

ASISTENCIA LEGAL POR INTERNET

Visite ctlawhelp.org/eviction para obtener información sobre el proceso de desalojo y cómo responder a una notificación de desalojo.

LÍNEA DE ASISTENCIA 2-1-1

Para información y derivaciones a programas de asistencia con el alquiler, servicios públicos y alimentos, llame al 211 or visite 211ct.org.

GUÍA PARA COMPLETAR FORMULARIOS

Visite cteviction.guide para obtener información sobre el proceso de desalojo y cómo completar los formularios judiciales.

FONDO PREVENTIVO DE DESALOJOS

Para verificar si reúne los requisitos para recibir asistencia del Fondo Preventivo de Desalojos de UniteCT, visite unitectprescreen.formstack.com/forms/eviction_prevention

CT-RTC is administered by the Connecticut Bar Foundation, 31 Pratt Street, Hartford, CT 06103
www.ctbarfdn.org

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