



Eviction

Categories : Uncategorized

The material provided here is for informational purposes only. It is not intended to be and should not be construed as legal advice.

Anyone facing an eviction should contact a lawyer or seek assistance from a legal aid office or a Housing Specialist at the Superior Court. The information below is only a summary.

Visit the **CTLawHelp website for COVID-19 Pandemic Related Eviction Information here:**

<https://ctlawhelp.org/en/evictions-during-coronavirus-crisis>

What is Eviction?

Eviction, also known as Summary Process, is a legal process a landlord must use to remove a tenant from a house, apartment, or room.

- **Notice to Quit:** this is a legal document that your landlord sends to you to tell you that he/she is asking you to leave the property. It is delivered by a Marshal. It is the first step in the eviction process (except for people in subsidized housing who will receive a **Pre-termination Notice**, which tells the tenant what the problem is and how they might resolve it). A Notice to Quit does not mean you have to leave right away. Your landlord must go through the entire eviction process to get you out, and this is the first step he/she is required to take to let you know he/she wants to evict you. You should contact a lawyer as soon as you receive the Notice to Quit.
- **Summons and Complaint:** If you decide to remain in the rental and fight the eviction, the Summons and Complaint is the next document you will receive, also delivered by a Marshal. This document has a box marked RETURN DATE. You must go to the court no more than two days after the return date and file an Appearance form. Everyone whose name is on the Summons must go and file an Appearance form for themselves. The Complaint form has the landlord's explanation of why he/she wants you out of the rental. If you want to have a chance to avoid an eviction, you must take the proper steps to respond to the Summons and Complaint or you will lose the case by default and the landlord can have the Marshal move you out with as little as 24 hour notice.
- **Appearance:** The Appearance is the form you file at the court in response to the Summons and Complaint, to let your landlord know that you plan to fight the eviction. When the case goes to court, you will be referred to as the Defendant, and your landlord will be referred to as the Plaintiff.
- **Answer:** After completing the Appearance, you can then file the Answer form. The clerk will provide you with the form. On the form will be information spelling out your landlord's complaint(s). You will need to read each numbered paragraph and circle your response on the Answer form (Agree, Disagree, Don't Know). There are also several Special Defenses listed on the Answer form. Check any that apply to you and fill in the blanks. If you have additional comments, there is space at the bottom of the form where you can write them in. You have to sign the form. Also, you have to immediately mail a copy of the Answer to your landlord or your landlord's attorney, if he/she has one. If you don't do this, you could automatically lose the case.
- **Hearing:** Once all the required documents have been filed, a Hearing will be scheduled. The clerk's office will mail you a Notice of Court Hearing to advise you when the case will be heard in court. This is your opportunity to present your side of the case. If you do not have an attorney to represent you by this point, it may be in your interest to get legal assistance and representation. Because this is a civil matter you are not entitled to an attorney at no cost, but you may be able to get legal help through a legal aid agency, or find



an attorney through a lawyer referral service. In any event, you must appear on the hearing date or you may lose the case by default.

- **Judgment/Agreement:** The Hearing may result in a judgment for you or against you. If the judgment is for you, you can stay in the rental. If the judgment is against you, the landlord can start taking steps to have you removed. However, you may be able to get a Stay of Execution which will give you more time. The judge decides whether or not to grant a stay, and the maximum is three months. If you and your landlord were able to come to an agreement, then you will have to comply with the terms of the agreement in order to stay in the rental.
- **Execution:** The Execution is the document that gives the Marshal the power to remove you, your family, and your belongings from the rental. The Marshal has to notify you 24 hours before removing you, but he/she is not required to speak to you personally. The Marshal may leave a written notice for you.

This is only a brief look at the eviction process. Each case is different, and there are many issues that can come up in any eviction case. You can find more information on the eviction process in these publications:

- The Connecticut Network for Legal Aid offers publications that provide information about the eviction process, tenants rights & helping yourself through the eviction process <https://ctlawhelp.org/en/evictions-process-laws-connecticut>. These are also available in print from the legal aid agencies that serve your community.
- The State Judicial Branch has an “[Official Court Webforms](#)” link to housing forms you will need for the eviction process.
- These publications offer more detailed information on the process, but in order to protect your rights and interests, you may need legal assistance.

Getting Legal Assistance:

Whatever the circumstances, it is best to get legal advice and representation when you are facing an eviction. You can contact [Statewide Legal Services \(SLS\)](#) for information about the eviction process, and if you qualify for legal assistance SLS can refer you to the legal aid agency that serves your city or town. All of the legal aid agencies that take referrals from SLS are prepared to intervene on behalf of income eligible individuals, right up to the day before the marshal serves the execution order.

To Find Providers in Connecticut’s Community Resources Database:

Search by service name:

[Landlord/Tenant Assistance](#)

SOURCES: Tenants Rights: ctlawhelp.org self-help guides

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