

NOTICE OF CLASS ACTION SETTLEMENT

PARA OBTENER ESTA NOTIFICACIÓN EN ESPAÑOL, VISITE NUESTRA PÁGINA WEB O LLÁMANOS

If You Resided in Hartford, Connecticut and were Ordered to Leave Your Home by City of Hartford Code Enforcement Officials between January 1, 2010 and September 30, 2015, You Could Get Money from a Class Settlement Valued at \$2,750,000.

A State Court Judge approved this notice. This is not a solicitation from a lawyer.

- Please read this Notice carefully to learn about your rights under the proposed settlement. Your legal rights may be affected whether or not you act.
- This proposed settlement (“Settlement”) resolves litigation concerning the Court’s finding that the City of Hartford did not operate its relocation assistance program in accordance with state law from January 1, 2010 through September 30, 2015 in the case entitled *Serrano et al. v. Gaitor et al*, CVH-8104-519. This Settlement will not be final until finally approved by the Court.
- If this Settlement is approved, you may be eligible for payment from the Claims Fund if you submit a timely Claim Form along with supporting documentation.
- Claim Forms and other documents related to this Settlement are available at **www.HartfordRelocation.com**.
- Members of the Settlement Class are represented by Greater Hartford Legal Aid, Inc. (GHLA), a non-profit law firm that provides free legal services to its clients. **If you have questions about this Notice, the Settlement, or any other part of this case, please call GHLA for free help at (860) 541-5000.**

YOUR LEGAL RIGHTS AND OPTIONS IN THE PROPOSED SETTLEMENT

SUBMIT A CLAIM FORM WITH SUPPORTING DOCUMENTATION BY OCTOBER 20, 2018	As a Settlement Class member, this is the only way to receive a payment. If you do nothing you will not receive a payment from the Settlement and you will give up any rights you currently have to separately sue Defendant for the conduct that is the subject of the lawsuit. If you need help with the Claim Form, please contact GHLA at (860) 541-5000. <i>See</i> Question 12 for more details.
OBJECT BY MAY 25, 2018	You can file an objection with the Court explaining why you disagree with the Settlement. <i>See</i> Question 18 for more details.
EXCLUDE YOURSELF BY MAY 25, 2018	You can exclude yourself from the Settlement, which will allow you to retain your rights against the Defendants. <i>See</i> Questions 13 and 14 for more details.
GO TO THE HEARING ON JUNE 22, 2018.	You can ask to speak in Court about the Settlement. <i>See</i> Question 18 and 19 for more details.

These rights and options – **and the deadlines to exercise them** – are explained in this Notice. A copy of the Settlement and all documents related to the claims process are available online at **www.HartfordRelocation.com**.

You may also call 1-800-546-3470 for more information.

BASIC INFORMATION

1. What is this notice about?

This Notice is to inform you about the Settlement that has been reached which may affect your rights, including your right to file a claim, object to, or exclude yourself from the Settlement. You have the right to know about the Settlement and about your legal rights and options before the Court decides whether to approve the Settlement.

The Court in charge is the Superior Court of Connecticut, Housing Session, Judicial District Of Hartford. The case is called *Serrano et al. v. Gaitor et al.*, Docket No. CVH-8104-519 (the “Litigation”). The people that sued are called the Plaintiffs, and the entities and/or persons they sued are called the Defendants (see Question 6).

2. Who are the parties to this case?

The Plaintiffs are all residents of the City of Hartford who have been required to move from their dwelling units as a direct result of an order from the City of Hartford code enforcement division. The Defendant is the City of Hartford. Not all members of the plaintiff class are eligible for payments under the Settlement. Only Hartford households displaced by code enforcement during the period from January 1, 2010 through September 30, 2015 (the “Settlement Class”) may apply.

3. What is a class action?

In a class action, representatives maintain an action on behalf of a group or class of others with similar claims. Since the Court determined that this matter should proceed as a class action, everyone’s claims were combined into a single proceeding, creating efficiencies for the parties and the Court. In a class action, the court resolves the issues for all class members except those who exclude themselves from the Class.

4. What was the judgment about in this case?

This case was originally started in 1981. In 1984, a Superior Court Judge certified this case as a class action consisting of “all past, present and future tenants living in the City of Hartford who were displaced from their dwelling units as a direct result of an order from the City Housing code enforcement division.” This group of people is known as the Plaintiffs in this action. Also in 1984, the City of Hartford entered into an agreement with the Plaintiffs regarding the City’s obligations under the Uniform Relocation Assistance Act, (URAA) found at Connecticut General Statutes § 8-266 and following. Individuals who are displaced from their homes as a direct result of housing code enforcement orders are referred to as “displaced persons” by the URAA.

Displaced persons in Hartford are entitled to receive specific benefits and payments under the URAA, including advice, temporary housing, payment for moving and storage expenses, and payment to assist with securing a new place to live that is decent, safe and sanitary. In 2013, the Plaintiffs’ attorneys asked the Court to find that the Defendant had not complied with the 1984 agreement and the URAA. In 2014 and 2016, the Court found that the City of Hartford had continually failed to provide the payments required under the URAA to displaced persons, in violation of the URAA and the City’s agreements in the *Serrano* case, from January 1, 2010 through September 30, 2015. The Court ordered that each household that had been displaced during this time without receiving the proper relocation assistance payments should receive a payment of up to \$3,700.00 from a total judgment of \$6,250,000.00. The City of Hartford appealed this decision. The parties have now reached a proposed settlement agreement that would provide payments of up to \$4,500.00 per household within the Settlement Class from a total claims fund of \$2,750,000.00. The payments provided for each household represent the approximate value of the two payments available under the URAA, for moving expenses and to assist in securing permanent replacement housing. The household payments may be reduced depending on a variety of factors, which are discussed further in Question 7 below.

THE SETTLEMENT'S BENEFITS

5. What does the Settlement provide?

This Settlement establishes a Claims Fund of \$2,750,000.00 (two million seven hundred and fifty thousand dollars) to pay eligible claimants within the Settlement Class. The full Settlement agreement is available for review and download at **www.HartfordRelocation.com** or you can request copies by calling 1-800-546-3470.

6. How do I know if I am eligible to receive a payment from this Settlement agreement?

To be eligible to receive a payment under this Agreement, you must: a) have been displaced from your home in Hartford, Connecticut, between January 1, 2010 and September 30, 2015, meaning that you were required to leave your home by City of Hartford code enforcement officials; b) submit a complete and timely Claim Form and show that you were the lawful occupant of the home that was condemned, meaning that the landlord/owner of the building knew you were living there and gave you permission to live there; and c) show that you were living in the condemned home for at least 90 days before it was condemned. You will be required to submit documentation with your Claim Form, such as rent receipts, lease agreements, utility bills, or other reliable documentation showing that you are eligible for payment.

7. How much will I be paid?

You may be entitled to a payment of up to \$500.00 as reimbursement for moving and storage payments. If you are able to show that you were a lawful occupant of a condemned home in Hartford and that you resided in that condemned home for at least 90 days before it was condemned, you will be entitled to receive an additional payment of up to \$4,000.00. If you received any relocation assistance payments from the City of Hartford when you were displaced, those payments will be deducted from the payment you receive from this Settlement. Your payment will also be reduced if you had a rental subsidy at the time that you were displaced that helped you pay for your replacement housing, or if you were able to return to a subsidized housing unit after a period of displacement.

All payments will be made per household or tenancy, not per person, with one payment issued per household or tenancy in most cases. If more than one household moved separately from the same address and all of those households file a claim, they may be entitled to separate payments if they provide supporting documentation showing that as a result of being displaced they moved separately into new homes.

If the number of claims submitted is greater than the amount of money that is available in the Claims Fund, all payments will be reduced proportionally.

8. When will I get a payment?

If the Court grants final approval to this Settlement at the Fairness Hearing (Question 19), then payments will be made after all claims are submitted and reviewed. If this Settlement is approved, there will be a period of one hundred and twenty days ("the Claims Period") in which eligible claimants may submit claim forms. Once the Claims Period is over, the Notice and Claims Administrator will have an additional ninety days to review all of the claims, determine the amounts to be paid, submit reports to the attorneys for the Plaintiffs and Defendants, and issue checks.

This process may be delayed by additional developments in the case or further orders from the Court, which could delay payments to claimants. The Settlement website **www.HartfordRelocation.com** will be updated with any developments or delays in this case.

9. What is a Notice and Claims Administrator and what do they do?

Under the terms of this Settlement agreement, the Plaintiffs' attorneys are authorized to hire a Notice and Claims Administrator, which is an independent organization that will administer the Settlement Claims Fund, share information about the judgment, review and process claims, and make accounting reports to the parties and the Court showing how the Settlement has been paid. The Notice and Claims Administrator will be making the final decisions on all claims that are submitted, and those decisions will not be subject to further review or appeal.

10. Who is the Notice and Claims Administrator in this Case?

The Notice and Claims Administrator is The Notice Company, Inc., P.O. Box 455 Hingham, MA 02043.

11. How is the Notice and Claims Administrator in this case paid?

Under the proposed Settlement, the Defendant has contributed \$132,000.00 towards the costs of the Notice and Claims Administrator. This money will **not** come out of the Claims Fund. If the costs of the Notice and Claims Administrator exceeds \$132,000.00, Plaintiff's counsel will be responsible for those expenses. Plaintiff's counsel may ask those additional expenses to be reimbursed from any leftover money in the Claims Fund, after everyone has been paid, only if both parties agree to that in writing and that agreement is approved by the Court.

HOW TO GET A PAYMENT CHECK

12. How can I get a payment check?

If you are eligible for payment under this Settlement, you must fill out and submit, with supporting documentation, a Claim Form. Claim Forms are available at **www.HartfordRelocation.com** or you can obtain a copy by calling, toll free, 1-800-546-3470. Claim Forms are also available at Greater Hartford Legal Aid, Inc., 999 Asylum Avenue, 3rd Floor, Hartford, CT 06105, or by writing to The Notice Company at the address below.

To be valid, Claim Forms must be mailed and postmarked no later than **OCTOBER 20, 2018** and addressed to:

Hartford Relocation Settlement
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

If you are submitting a Claim Form, you are encouraged to contact GHLA at (860) 541-5000 to request free assistance with completing the form.

RIGHT TO EXCLUDE YOURSELF

13. May I exclude myself from the Settlement?

If you are a member of the Settlement Class and you wish to keep your rights, if any, to sue the Defendant about the claims, judgment and settlement in this case, you must exclude yourself. If you exclude yourself, you will not get any money from this Settlement. You may not submit a Claim Form if you exclude yourself from this Settlement.

14. How do I Exclude myself from the Settlement Class?

In order to exclude yourself from the Settlement Class and keep your individual rights, if any, to sue the Defendant, you must send a letter to the Notice and Claims Administrator that includes the following:

1. Your full name, current mailing address and telephone number
2. A statement saying that you request exclusion from the Hartford Relocation Settlement.
3. State the date you were ordered to leave your home in Hartford by City of Hartford code enforcement officials and the address which you were ordered to leave (if you recall this information); and
4. Be signed by you or your representative.

To be valid, all exclusion requests must be **postmarked no later than May 25, 2018** and mailed to:

Exclusions - Hartford Relocation
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

No request for exclusion will be considered valid unless all of the information described above is included. No further opportunity to request exclusion will be given in this Litigation unless ordered by the Court. If you choose to be excluded from the Settlement, you will **not** be: (a) entitled to share in the proceeds of this Settlement described herein; (b) bound by any judgment entered in the litigation; and (c) precluded by the Settlement from otherwise prosecuting an individual claim against Defendants, based on the matters that were the subject of this litigation.

REMAINING IN THE SETTLEMENT CLASS

15. What am I giving up if I stay in the Settlement Class?

If you do not exclude yourself from the Settlement Class, you will have given up your right to sue the Defendants on your own for the claims raised, the decisions issued, and the Settlement in this case, and you will be bound by the Settlement and all subsequent proceedings, orders and judgments in the lawsuit. You will also be accepting the Notice and Claims Administrator as the final decision-maker over all claims that are submitted.

The Settlement Agreement describes the released claims in detail, so read it carefully. If you have any questions, you may call the Notice and Claims Administrator or GHLA. You may also consult your own lawyer at your own expense. The Settlement Agreement is available at **www.HartfordRelocation.com**.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer representing me?

Attorneys Cecil J. Thomas and David A. Pels from Greater Hartford Legal Aid, Inc. (GHLA) (999 Asylum Avenue, 3rd Floor, Hartford, Connecticut 06105) are the attorneys for the Settlement Class. GHLA is a non-profit law firm. If you exclude yourself from the Settlement, then the attorneys for the Settlement Class will not represent you.

17. How will the lawyers be paid?

If the Court approves this Settlement Agreement, the Defendant will pay the Plaintiffs' attorneys \$250,000.00 as attorney's fees, plus \$7,838.53 for costs incurred by the Plaintiffs' attorneys during the litigation. Plaintiffs' attorneys will also be able to seek up to an additional \$50,000.00 from the Defendant for additional time spent in this litigation. Plaintiffs' attorneys will be paid directly by the Defendant, and that money will not be taken from the Claims Fund.

You do not have to pay the attorneys from GHLA in this matter. The Defendants will compensate the attorneys only if the Court approves this Settlement. If you want to be represented by your own lawyer, or have that lawyer appear in court for you in this case, you may hire one at your own expense.

OBJECTING TO OR COMMENTING ON THE SETTLEMENT

18. How do I object or comment on the Settlement?

You can ask the Court to deny approval by filing an objection to the Settlement Agreement. If the Court denies approval, no settlement payments will be sent out and the pending appeal will continue.

You may object to the Settlement Agreement in writing. Written objections should include the following:

- Your full name, current mailing address, telephone number, and if you are being assisted by a lawyer, the lawyer’s name, address and telephone number;
- The case name and number (*Serrano et al v. Gaitor et al., CVH-8104-519*);
- A statement establishing your membership in the Settlement Class;
- A brief explanation of your reasons for objecting; and
- Your signature.

If you wish to be heard by the Court on your objection, you must also state that in writing in your objection.

An objection must be submitted to the Court either by mailing it to the Clerk at the address below, or by filing it in person at the Courthouse. **To be valid, objections must be filed with the Court on or before May 25, 2018:**

**Clerk of the Court
Hartford Housing Session
80 Washington Street
Hartford, CT 06106**

Copies of the objection must also be mailed, postmarked on or before May 25, 2018, to the attorneys for the parties and to the Notice and Claims Administrator as follows:

Plaintiffs’ Attorneys	Defendant’s Attorneys	Notice and Claims Administrator
Cecil J. Thomas David A. Pels Greater Hartford Legal Aid, Inc. 999 Asylum Avenue, 3 rd Floor Hartford, CT 06105	Howard G. Rifkin Demar Osbourne Corporation Counsel City Of Hartford 550 Main Street Hartford, CT 06103	Objections - Hartford Relocation c/o The Notice Company P.O. Box 455 Hingham, MA 02043

THE FAIRNESS HEARING

19. When and where will the Court consider the Settlement?

The Court will consider all aspects of this agreement at a Fairness Hearing which will be held on **June 22, 2018** at 10:00 a.m. before the Honorable Judge Glenn A. Woods, at the Hartford Housing Session of the Superior Court of Connecticut, 80 Washington Street, Hartford, CT 06106. The Court may adjourn or continue the Fairness Hearing to

additional dates without further notice, so you should check the website www.HartfordRelocation.com for current information.

The purpose of the Fairness Hearing will be to determine: (1) whether the proposed settlement, as set forth in the Settlement Agreement, should be approved as fair, reasonable and adequate to the Members of the Settlement Class; (2) whether the proposed plan to distribute the Settlement Funds is fair, reasonable, and adequate; (3) whether the application by Plaintiffs' attorneys for an award of attorneys' fees and expenses should be approved; and, if so, in what amounts; and (4) whether the Court should approve the proposed Settlement as a Judgment of the Court.

20. Do I have to come to the hearing?

No. Plaintiffs' attorneys will answer any questions the Court may have. You, or another attorney of your own choosing, are welcome to come to the Fairness Hearing at your own expense, but you are not required to attend. If you file an objection or comment, you don't have to come to Court to talk about it. As long as you filed your written objection on time, it will be presented to the Court for its consideration.

MORE INFORMATION

21. Where can I get more information about this case?

This Notice summarizes the Settlement. For the most up-to-date information and for precise terms and conditions of the Settlement, please visit www.HartfordRelocation.com.

ALL INQUIRIES CONCERNING THIS NOTICE SHOULD BE MADE TO THE NOTICE AND CLAIMS ADMINISTRATOR OR TO PLAINTIFFS' ATTORNEYS (GH LA) AT (860) 541-5000. PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE.

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