

NOTICE OF CONNECTICUT STATE AGENCIES

DEPARTMENT OF HOUSING

Notice of Declaratory Judgement Complaint

Pursuant to Connecticut Practice Book section 17-56(b), please take notice that on April 28, 2020, Summit Saugatuck, LLC and Garden Homes Management Corporation filed a “Declaratory Judgment Complaint Pursuant to General Statutes § 4-175” against the Connecticut Department of Housing and the Town of Westport. *See Summit Saugatuck, LLC v. Dep’t of Housing*, HHD-CV20-6127403-S. Specifically, the Complaint alleges that DOH: (1) violated General Statutes § 8-30g(1)(4)(B) and Regs. Conn. State Agencies § 8-30g-6(j)(4), by accepting, but not timely disclosing, letters from Westport dated January 24, 2019 in support of Westport’s application for a § 8-30g moratorium; (2) violated General Statutes § 8-30g(1) and Regs. Conn. State Agencies § 8-30g-6 by granting moratorium points for developments for which Westport did not provide any evidence of on-going compliance with affordability restrictions on household income and maximum rent, from the date of initial residential occupancy or newly-imposed affordability restrictions to the date of the Certificate application; and (3) violated General Statutes § 8-30g(1) and Regs. Conn. State Agencies § 8-30g-6, and/or made a material factual or mathematical error, by granting 30 points for the Hidden Brook development, when Westport had only claimed 6.0 points for that development, based on internal, unidentified, and undisclosed department records. The Court has set deadlines for the parties to file cross-motions for summary judgment: Plaintiffs’ motions are due on February 5, 2021; and Defendants’ cross-motions are due March 12, 2021. Summit is represented by Timothy Hollister, Shipman & Goodwin LLP (thollister@goodwin.com); Garden Homes is represented by Mark Branse, Halloran & Sage LLP (branse@halloransage.com); DOH is represented by Anthony Famiglietti (anthony.famiglietti@ct.gov); and Westport is represented by Peter Gelderman, Berchem & Moses PC (pgelderman@berchemmoses.com).
