

Carol Havens

From: Heft, Martin <Martin.Heft@ct.gov>
Sent: Monday, October 25, 2021 7:28 AM
Subject: OPM - PA 21-173 - Unlawful Restrictive Covenant Form and Affidavit
Attachments: 2021PA-00173-R00HB-06665-PA.PDF; Unlawful Restrictive Covenant Form - Final 10.2021.pdf; Affidavit Restrictive Covenant - Final 10.2021.pdf

Dear CEOs and Town Clerks:

Pursuant to Public Act 21-173, the Office of Policy and Management is providing under Section 1(f) the Unlawful Restrictive Covenant Form. We are also providing an Affidavit as an additional tool shall a landowner wish to use this under the provisions of Section 1(c) to file a form or affidavit.

Please note the Town Clerk responsibilities and refer to the attached Act:

(c) The town clerk shall record such affidavit or form, and, to the extent practicable, notate the indices to the land records accordingly to reflect the invalidity of the unlawful restrictive covenant. No town clerk may assess any recording fee for the filing of such affidavit or form.

(f) Not later than December 1, 2021, the Office of Policy and Management shall develop a standardized form for the purposes of subsection (c) of this section. The town clerk in each municipality shall (1) make such form available on the Internet web site of the municipality and in the area of the town clerk's office where land records are kept, and (2) post a notice informing the public of the provisions of this section in the area of the town clerk's office where land records are kept.

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**IDENTIFICATION
AND RENUNCIATION OF A VOID
AND UNLAWFUL RESTRICTIVE COVENANT FORM**

Connecticut Public Act 2021, No. 21-173 (the "Act") defines an Unlawful Restrictive Covenant as "a covenant or other provision in an instrument affecting the title to real property that purports to restrict ownership or occupancy of such real property on the basis of race."

The Act declares Unlawful Restrictive Covenants to be VOID.

Subsection (c) of the Act authorizes property owners to file a form to identify those VOID, Unlawful Restrictive Covenants. This Form is being filed to carry out the provisions of subsection (c) of the Act.

I (or We) _____
am (or are) at this time the owner(s) of record of the property in the Town/City
of _____, described in Attachment A.

An Unlawful Restrictive Covenant that relates to my (our) property is recorded
at Volume _____, Page _____ of the _____
(Town/City) land records. It is VOID, and I/we renounce it.

Signature of Property Owner

Date

Signature of Property Owner

Date

**STANDARD FORM AFFIDAVIT
TO IDENTIFY
A VOID RACIALLY RESTRICTIVE COVENANT**

State of Connecticut)
) ss: _____, _____
County of _____) Town Date

I, _____, (the "Affiant") being duly sworn, depose and say:
 Name of Property owner or co-owner

1. The undersigned is of full legal age and under no legal disability.
2. This Affidavit is made with respect to real property known as and situated at

(Street Address of Property)

which is more particularly described in Schedule A attached hereto and made a part hereof (the "Property").

3. As of this date, Affiant is the record owner or co-owner of the Property.
4. This Affidavit is the form referred to in Connecticut Public Acts 2021, No. 21-173, Section 1, and it is made to carry out the provisions of that Section.
5. This Affidavit is made on the basis of facts that are personally known to Affiant.
6. An Unlawful Restrictive Covenant (as defined in Connecticut Public Acts 2021, No. 21-173) pertaining to the Property is contained in a document recorded at Volume _____, Page _____ of the _____ Land Records, to the extent that it restricts the ownership or occupancy of the Property on the basis of race.
7. Connecticut Public Acts 2021, No. 21-173 provides that Unlawful Restrictive Covenants shall be VOID.
8. I renounce the Unlawful Restrictive Covenant mentioned above.

Signature of Affiant

Subscribed and sworn to before me this ____ day of _____, _____ by
_____.

Notary Public - My commission expires _____
Commissioner of Superior Court