

Bond Case Briefs

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Longview Estates, LLC v. Woodin

Appellate Court of Connecticut - April 22, 2014 - A.3d - 2014 WL 1464321

Mobile park owner commenced summary process action against homeowners for alleged failure to pay rent for lot on which their mobile home was situated. Following entry of judgment of possession and order of execution in favor of park owner, park owner petitioned for finding of abandonment and for order of public sale. Town filed objection to petition based on park owner's disclosure of defenses in town's prior action to foreclose tax lien against homeowners and park owner. The Superior Court granted petition and, following sale, entered judgment of conveyance in favor of park owner, which extinguished town's tax liens. Town appealed.

The Appellate Court held that park owner did not waive its statutory right to recover costs of selling abandoned mobile home by its disclaimer of any interest in home made in town's prior action.

The Appellate Court held that mobile park owner did not waive statutory right to recover costs of selling abandoned mobile home by filing disclosure of defenses, stating that park owner had "no legal or equitable interest" in the home, in town's later-withdrawn tax lien foreclosure action against homeowners and park owner. Park owner did not have interest in mobile home at the time of disclosure, costs of sale were not a known right at the time of the disclosure, and expression of lack of interest was not binding on park owner's summary process action.