

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **IMMUNITY - CONNECTICUT**

### **Williams v. Housing Authority of the City of Bridgeport**

**Supreme Court of Connecticut - December 26, 2017 - A.3d - 327 Conn. 338 - 2017 WL 6459234**

Administratrix of estates of residents of public housing unit who died in fire brought action against fire department and city officials, alleging negligent and reckless failure to conduct fire safety inspection.

The Superior Court entered summary judgment dismissing administratrix's claims on grounds of municipal immunity. Administratrix appealed. The Appellate Court reversed. Fire department and city officials petitioned for review.

The Supreme Court of Connecticut held that:

- A municipal actor may demonstrate reckless disregard for health or safety, waiving immunity from suit, when it is clear that failure to conduct a health and safety inspection may result in a catastrophic harm, albeit not a likely one;
- When a municipality has adopted a policy of not carrying out any building inspections of a certain type, the municipal liability statute permits the finder of fact, in determining whether the municipality acted with regardless disregard for health and safety and thereby waived its immunity from suit, to assess the aggregate level of risk associated with that policy, and not only the limited risk posed to the specific premises at which the hazard happened to transpire;
- Genuine issue of material fact existed as to whether fire department and city officials exhibited reckless disregard for public health or safety in failing to conduct inspection, precluding summary judgment.