

DOCKET NO.: _____

(LANDLORD/PLAINTIFF)

v.

(TENANT/DEFENDANT)

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SUPERIOR COURT

HOUSING SESSION

AT _____

(DATE)

APPLICATION FOR EX PARTE TEMPORARY INJUNCTION

Pursuant to C.G.S. §52-471 et seq., the defendant _____
(Name of Tenant)

in this summary process action asks this court to restrain from executing upon the judgment until the court hears and decides the accompanying Motion to Quash Execution/Motion to Open Judgment or until further order of the court, and in support of this Application states the following:

1. The defendant has been notified that he/she/they will be evicted from his/her/their home by the defendant/landlord's agent on or after

_____.
(Date and Time of Eviction)

2. For the following reasons, unless the requested relief is granted, the defendant will suffer irreparable harm for which there is no adequate remedy at law.

[check all that are true]

The defendant has no other safe, adequate, and affordable place to live, and/or cannot move before the date set for eviction.

The defendant suffers from a disability making it difficult to find replacement housing.

The defendant lives in subsidized housing and may lose the subsidy if evicted.

The defendant in fact paid all rent, use and occupancy, and/or arrearage owed.

The health of the defendant or a member of the defendant's family would be in danger if forced to move. In particular:

[Other]

3. If the defendant failed to appear at a court hearing, the reason was

THE DEFENDANT/TENANT

Signature

Name

Address

Telephone Number

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SUPERIOR COURT

HOUSING SESSION

AT _____

(DATE)

TEMPORARY INJUNCTION AND HEARING NOTICE

The foregoing Application for Ex Parte Temporary Injunction, having been heard and it appearing that irreparable harm would result to the defendant/tenant unless the requested relief is granted before the matter can be heard on notice to the plaintiff, is hereby GRANTED, and it is hereby ORDERED that the defendant along with its employees, agents, and any other person acting under the direction or on behalf of the defendant, shall not evict the defendant/tenant _____,
(Name of Tenant)
remove his/her/their possessions, or in any way interfere with the use of enjoyment of the premises at _____
(Address of Tenant)

Connecticut, until further order of this court.

This Court will hold a hearing at _____ on the ____ day of _____, 2021, to consider whether this order should be continued and whether other orders should issue as law and equity require.

Dated at _____, Connecticut, this ____ day of _____, 2021.

Judge

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SUPERIOR COURT

HOUSING SESSION

AT _____

(DATE)

ORDER OF SERVICE OF TEMPORARY INJUNCTION

TO ANY PROPER OFFICER:

BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due service by leaving a true and attested copy of the accompanying Temporary Injunction with or at the usual place of abode of the plaintiff and due return make.

Ordered at _____, Connecticut, this ____ day of _____, 2021.

BY THE COURT

Judge

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SUPERIOR COURT

HOUSING SESSION

AT _____

(DATE)

MOTION TO QUASH EXECUTION (AUDITA QUERELA)

The defendant _____ hereby moves for an order
(Name of Tenant)

(in the nature of a writ of audita querela) to quash an execution issued upon the judgment in this summary process action, and in support of this motion states the following:

1. The plaintiff has obtained a judgment against the defendant in this action and an execution has been issued by the court.

3. For the following reasons, the plaintiff should not be allowed to evict the defendant:

[Check all applicable reasons and write in any others]

After the date of judgment, the parties made a new agreement that allows the defendant to stay.

After the date of judgment, the plaintiff accepted rent from the defendant

The defendant is willing and able to pay all of the arrearage owed to the plaintiff.

Any violation of the rental agreement by the defendant has been or can be promptly remedied.

The defendant lives in government-subsidized housing and may lose the subsidy if evicted.

The defendant has no suitable place to live if evicted.

Other:

[If judgment was by default for failure to appear/plead/appear at trial] The defendant did not appear/plead/appear at trial because:

THE DEFENDANT/TENANT

Signature

Name

Address

Telephone Number

ORDER

The foregoing Motion to Quash Execution, having been heard, is hereby GRANTED, and it is ORDERED that the execution issued upon the judgment in this action is hereby quashed and of no effect.

BY THE COURT

Judge

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SUPERIOR COURT

HOUSING SESSION

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(DATE)

MOTION TO OPEN JUDGMENT

Pursuant to Section 17-43 of the Practice Book, the defendant moves to open the judgment entered in this action, and in support of this motion states the following:

1. Judgment of possession entered for the plaintiff in this summary process action because the defendant failed to appear/plead.

2. The defendant did not appear/plead because:

[check all that are true]

I did not understand that I needed to file papers in court.

I received notice to go to court, but I did not understand it because:

I was not able to come to court/file papers because:

[other reasons]:

3. At the time judgment entered, a good defense existed to all or part of the plaintiff's action. See the accompanying Answer form. [Defendant should complete and attach SUMMARY PROCESS (EVICTION) ANSWER form provided by the Court Clerk's office.]

4. If the defendant failed to appear for a hearing on a prior Motion to Open, the reason for failing to appear was:

THE DEFENDANT/TENANT

Signature

Name

Address

Telephone Number

ORDER

The foregoing Motion to Open Judgment, having been heard, is hereby GRANTED, and it is ORDERED that the judgment previously entered in this action is set aside.

BY THE COURT

Judge

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SUPERIOR COURT

HOUSING SESSION

AT _____

(DATE)

VERIFICATION

I, _____, being duly sworn, do hereby depose and
(Name of Tenant)
state that:

1. I am above the age of eighteen years and understand the obligation of an oath.
2. That I am the defendant in the above action.
3. I have read the facts contained in the foregoing Application, Motion to Quash Execution, and/or Motion to Open Judgment, and that these facts are true to the best of my knowledge and belief.

(Signature of Tenant)

Subscribed and sworn to before this _____ day of _____, 20____, at,
Connecticut.

Judge, Assistant Clerk, Commissioner of the
Superior Court

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	:	
_____	:	HOUSING SESSION
(LANDLORD/PLAINTIFF)	:	
	:	
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_____	:	
(TENANT/DEFENDANT)	:	_____
		(DATE)

CERTIFICATION INTO COURT

The accompanying Application for Ex Parte Temporary Injunction made to me in the above-entitled action, and proceedings thereon, are hereby certified to the Court.

Practice Book §20-2.

Dated at _____, Connecticut, this ____ day of _____, 2021.

BY THE COURT

Judge/Assistant Clerk

THE DEFENDANT,

Signature of Tenant

Applicant's Name

Street Address

City, State and Zip Code

Telephone

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(DATE)

CERTIFICATION RE: NOTICE TO OPPOSING PARTY/COUNSEL

I hereby certify that at _____ o'clock, on the _____ day of _____, 2021

I notified _____
(Name of Landlord or Landlord's Attorney)

of my intention to present this Application for Order to Enjoin Execution via telephone and requested their fax number.

I attempted to notify _____
(Name of Landlord or Landlord's Attorney)

of my intention to present this Application for Order to Enjoin Execution but:

(Reason why attempt not successful)

The landlord or landlord's attorney said the Application
be granted by agreement.

The landlord/landlord's attorney said that he or she
(circle one) to come to court to object in person to the Application.

I presented a copy of this Application to the landlord/landlord's attorney by fax.

I was unable to present a copy of this Application to the landlord/landlord's
attorney because:

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	:	
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	:	(DATE)

MOTION FOR WAIVER OF BOND

The defendant in this action moves that the Court waive the posting of bond, as permitted by C.G.S. Sec. 52-472, for the following reasons:

1. The plaintiff will suffer no irreparable harm from the granting of the relief requested.
2. The defendant lacks the assets with which to post bond and will otherwise be unable to prosecute this writ, and will therefore be forced to suffer and endure irreparable harm.

THE DEFENDANT,

Signature of Tenant

Applicant's Name

Street Address

City, State and Zip Code

Telephone

ORDER

The foregoing Motion having been considered by the Court, it is hereby **ORDERED:**
GRANTED/DENIED.

BY THE COURT,

JUDGE/CLERK/ASSISTANT CLERK

CERTIFICATION OF SERVICE OF MOTION

I hereby certify that a copy of the foregoing has been faxed/mailed on the _____ day of _____, 2021 to all appearing parties or their counsel, including the following:

THE DEFENDANT,

Signature of Tenant

Applicant's Name

Street Address

City, State and Zip Code

Telephone