

NOTICE TO QUIT (END) POSSESSION

JD-HM-7 Rev. 1-11 C.G.S. § 47a-23

Instructions To Landlord

1. Fill out this notice and give it to a state marshal or any proper officer with enough copies for each adult occupant and tenant you want to evict.
2. After service (delivery to the tenant(s) and occupant(s)) is made, the original Notice to Quit will be returned to you. If you do not want to include your address on this form, give this information to the marshal or other proper officer on a separate sheet so that the officer can return the original notice to you promptly after making service.

www.jud.ct.gov

To: Name(s) of tenant(s) and occupant(s)

Half Benedict Drug Co. II, Inc.

Address of premises, including apartment number, if any

767 Orange Street, New Haven, CT 06511

You must quit (end) possession or occupancy of the premises described above and now occupied by you on or before 02/09/2011 for the following reason(s) (specify):
(Date)

The Lease is terminated in accordance with its terms. The Lease provides the Landlord with the right to terminate upon the death of Jack Appelbaum unless Mr. Appelbaum had, before his death, transferred his majority ownership interest in the Tenant, which transfer would constitute an Assignment of the Lease. The Lease expressly requires the Tenant to provide notice and a request for consent to the Landlord of any such proposed Assignment, and no such Assignment is valid unless the Landlord consented to it. The Tenant did not provide any notice or request of Assignment to the Landlord and, accordingly, no consent was given by the Landlord to any proposed Assignment.

Jack Appelbaum died on November 3, 2010. Because no request for Assignment had previously been made to the Landlord and no consent had been given, in accordance with the Lease, the Landlord, Formichella Associates, LLC, gave written notice to the Tenant, Half-Benedict Drug Co. II, that the Lease would be terminated as of February 3, 2011, and that the Tenant must vacate by that date. As of February 3, the Tenant had not vacated and is therefore in material breach and is now being served with this Notice to Quit.