

**Exhibit A**  
**Form of Proposed Notice and Base Payment Claim Form**

**NOTICE OF SETTLEMENT OF CLASS ACTION  
LAWSUIT**

*This Notice has been approved by Judge Lager of the Connecticut Superior Court.*

*You are NOT being sued.*

**You may be entitled to receive money and other benefits in connection with the settlement of a class action lawsuit.** People who lived at Church Street South at any time between December 19, 2013 and December 19, 2016 are eligible to participate in a settlement of a lawsuit about living conditions at Church Street South. **To receive money and other benefits in the settlement, fill in the forms on pages \_\_\_ and \_\_\_ and follow the instructions.**

*Before filling in the forms, you should read all of this Notice. The Notice will explain the benefits of the Settlement, how to sign up for these benefits, and what your other options are.*

**INFORMATION IN THIS NOTICE**

**Description of the Lawsuit and the Settlement**

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## **What is the lawsuit that is being settled?**

This lawsuit was brought by some of the tenants at Church Street South (“the Plaintiffs”) who claimed that the people living at Church Street South were injured because the owner and the property management companies (“the Defendants”) did not properly maintain the apartments. The Defendants deny that the people who lived at Church Street South were injured during that time or that the apartments were not properly maintained.

The settlement offers to pay money to everyone who lived at Church Street South during some or all of the time period from December 19, 2013 until December 19, 2016. Some people may be eligible for other benefits. Once the settlement becomes final, the case will be over.

## **What are the benefits of the settlement?**

Everyone who lived at Church Street South at any time between December 19, 2013 and December 19, 2016 is a **class member**. These benefits are available to every class member who signs and returns a Base Payment Claim Form . **You must complete and submit a Base Payment Claim Form to get the benefit of the settlement.**

1. **MONEY**. Every class member, including children and adults, will get a payment, called a **Base Payment, of \$5,000 or more**. The amount depends on how long the person lived at Church Street South beginning December 19, 2013 and whether they were an official Church Street South tenant. If you are being sent this form, the amount for you and your family members is shown on the claim form on page \_\_\_\_.

2. **LIEN RELIEF**. Many class members have gotten some kind of financial assistance over the years from the State of Connecticut, and the state often takes some of that money back out of settlements. This is called a lien. One benefit of the settlement is that the state has agreed that class members will **not have to pay most liens out of the Base Payment** money they receive. **This applies to every class member who received assistance from the State of Connecticut**. Class members also do not have to repay HUD for money it paid for Section 8.

3. **NO FEES OR COSTS**. Another benefit of the settlement is that if you sign up to be part of the case you will **not have to pay attorneys’ fees or costs** to the attorneys who brought the lawsuit and negotiated the settlement. The lawyers are being paid separately in addition to the payments to you. **Every class member receives this benefit.**

4. **PAYMENT FOR CERTAIN ADDITIONAL DAMAGES**. Some class members claim that they or their family members suffered serious injuries or serious property damage because of mold at Church Street South. These class members may

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apply for additional money, called an “**Enhanced Payment,**” in addition to the Base Payment,. If you believe that you or family members suffered serious injuries or serious property damage from mold at Church Street South, you may apply for an Enhanced Payment by completing and submitting an Enhanced Payment Claim Form. For instructions on how to get this form, see page \_\_\_\_\_. **You must complete and submit an Enhanced Payment Claim Form to apply for this benefit.**

5. STRUCTURED SETTLEMENT. Adult class members also have the option to have their Base Payments or Enhanced Payments paid out over time, instead of getting them all at once. This is called a **structured settlement**, and it will help some class members maintain eligibility for public benefits. Class counsel has hired Newman Settlement Services Group to offer structured settlements to class members at no expense to them. **Any adult class member who asks for a structured settlement can receive this benefit.**

6. POSSIBLE HOUSING PREFERENCE. If the Defendants rebuild housing at Church Street South that is subject to a HUD Housing Assistance Program (HAP) contract between Defendants and the government, there will be a **preference for affordable housing for those class members who signed the leases for their apartments at Church Street South.** The Settlement does not require Defendants to enter into a HAP contract or build apartments that are covered by a HAP contract, but the benefit will be available if they do.

7. SECURITY DEPOSIT REFUND. If you signed the lease on your apartment at Church Street South, the Church Street South landlord paid a refundable security deposit on the apartment you moved to and you still live in that apartment, when you move out of that apartment you may be eligible to **have the security deposit refunded directly to you** rather than to the Church Street South landlord. The security deposit will be refunded to you **only** if you are **now** living in the apartment you moved into from Church Street South. It will be refunded to you by the landlord of your current apartment when you move to a new apartment. Only the part the landlord has to refund will be paid to you. **This benefit applies only to class members who had these security deposits paid for them by Church Street South landlord.**

### **Who can get benefits from the settlement?**

Any person who was listed on the rental forms at Church Street South for any time during the **class period running from December 19, 2013 to December 19, 2016** is eligible for benefits.

If this notice was sent to you and your name is printed on the claim form at page \_\_, you and any other people listed on the claim form are eligible to participate in the settlement without providing any other proof that you lived at Church Street South during the class period.

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**If you lived at lived at Church Street South but were not on the rental forms you can be part of the case if you have a government document such as a driver's license, voter registration, or school record showing that you lived at Church Street South during any time from December 19, 2013 to December 19, 2016. *Instructions on where to send the document are on page \_\_\_\_***

**How to get benefits for a minor, for an incapable person or deceased person**

Parents can sign up their children who are younger than 18 years old (minor) to receive payments from the Settlement. An adult who is not a parent but has custody of the minor or is the minor's guardian can sign up for the child, so long as they sign a certification stating that they are responsible for the child. For example, if a child under 18 lives with a foster parent or an adult relative other than the child's parents, those adults can sign up for the child to receive payments under the Settlement..

If deceased or incapable persons already have representatives appointed by the Probate Court, those representatives can make claims for those class members. There may be incapable or deceased persons who have not had a representative appointed by the Probate Court. In those cases, a Base Payment Claim Form may be submitted by an adult who certifies that she or he is making a claim for someone who has a disability or is not capable of knowingly and intelligently signing, or that she or he is the relative of a deceased person for whom an estate has not been opened. Amounts payable to deceased or incapable class members can only be paid into the Trust. The Trustee will then make sure that deceased or incapable persons' settlement shares are only paid to someone appointed by the Probate Court to handle the deceased or incapable person's estate, or as otherwise ordered by the Probate Court.

If you are making a settlement claim for a minor child, incapable person, or deceased person, the Claim Form has spaces for those situations. See page \_\_. If any of these situations applies, please read the claim form carefully to make sure you check the right box.

**Payments to minor children – legal requirements**

Under state law, all settlement payments to minor children must be approved by the Probate Court if the total amount paid to the child will be more than \$10,000. To satisfy that requirement, settlement payments for children will be made directly to a Court appointed person, called a Trustee, to take care of the money until the child turns 18. The Trustee may approve requests from the adult responsible for the child (parent, guardian, or person with custody of the child) to pay money out of the child's funds in the Trust for the benefit of the child based on the child's individual circumstances.

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If the total settlement payments to a child are \$10,000 or less, the payments will remain in the Trust until the child turns 18, unless the adult responsible for the child requests immediate payment of some or all of the money held in the Trust for that child. This request can only be made after all the settlement payments have been made.

**Payments for adults who are disabled or who receive government benefits such as SSI or Medicaid.**

Some class members may be receiving state or federal benefits such as Medicaid, Social Security, or other similar program. In order to keep a class member eligible for these benefits after receiving money from the Settlement, the class member may choose to have his or her Settlement money paid to the Trustee, who can then make payments to or for the benefit of the class member, including to an ABLE account managed by the class member for his or her own benefit. This arrangement will help preserve the class member's eligibility for Medicaid or SSI or similar benefit programs and allow the class member to receive Settlement money.

**Do I or my family members have to participate in the settlement?**

You or your family members do not have to participate. If you do not want to participate, see the instructions on page \_\_\_\_\_. If you decide not to participate, you cannot receive any of the Settlement payments or Settlement benefits. You must sign up to receive the benefits of this Settlement.

**When will the Settlement become final?**

The settlement must be approved by the Superior Court after a Final Approval Hearing,. The hearing is scheduled for Friday, February 5, 2021, but the Court may change the date. You can find out the date of the hearing by checking the Court schedule online, under the heading "Scheduled Court Dates," at:

<http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV166033559S#Schedule>

Shortly after the Final Approval Hearing the Court will decide whether to approve the settlement. If the settlement is approved, and no one appeals the approval, the settlement will become final 21 days later.

*Base Payment Claim Forms may be completed and submitted any time after they are received but must be completed and sent in by mail, email or text no later than seven days after the settlement becomes final. Based on*

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the current date for the Final Approval Hearing, the expected deadline for sending in a Base Payment Claim Form is April 15, 2021. See page for instructions.

If the Court approves the Settlement, Initial Base Payments will be made to class members seven days after the deadline for submitting Base Payment Claim forms.

<b>What Are My Options?</b>	
Submit Base Payment Claim any time before April 15, 2021. This deadline could be extended if final approval of the Settlement is delayed.	<b>Submitting a Base Payment Claim Form is the only way to get money and other benefits from the settlement.</b>
If you submit a Base Payment Claim form you can also request and submit an Enhanced Payment Claim Form any time before June 1, 2021. This deadline could be extended if final approval of the Settlement is delayed.	The Enhanced Payment Claim form is the only way to be eligible to get money for serious personal injuries or serious property damage that you believe were caused by mold at Church Street South.
Submit an Opt Out notice by December 18, 2020 to exclude yourself from the settlement	You will receive no payment or benefits from the settlement. If you do this, you will have the right to pursue on your own whatever individual claims you may still have against the Defendants.
Object by December 18, 2020. You can object even if you have submitted a Base Payment Claim Form You can speak to the Court about the Fairness of the Settlement if you file a written objection.	Write to the Court or hire an attorney to do that for you about why you think the settlement is unfair, inadequate, or unreasonable.
If you have filed a written objection you or an attorney on your behalf may speak at the Final Approval Hearing on February 5, 2021.	You are not required to speak but may choose to do so. This hearing date could change. Confirm the hearing date by calling the Settlement Administrator or checking the “Scheduled Court Dates” for this case on the web at <a href="http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYC V166033559S#Schedule">http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYC V166033559S#Schedule</a>

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<b>What Are My Options?</b>	
Do nothing	Get no Settlement payments or benefits. You will give up your rights to ever sue the Defendants about the legal claims in this case.

**Explanation of your options**

You and your family members who are class members have several options in connection with the settlement.

***Option #1: Sign up to receive payments and other benefits under the settlement.***

**How to sign up to receive payments and benefits.** *Fill out the Base Payment Claim Form and send the completed form to “JND Legal Administration,” the company appointed by the Court to handle the Settlement forms in this case.* The instructions for completing and submitting a Base Payment Claim Form appear below. See page \_\_\_

**DEADLINE FOR BASE PAYMENT FORMS:** To receive payments and other benefits in the settlement, you must sign up online or mail, text, or email your Base Payment Claim Form or written request before the deadline, which is now April 15, 2021.

**You can also request Enhanced Payments.** If you believe that you or your children suffered serious injuries or serious property damage caused by mold at Church Street South, and you want to make a claim as part of the Settlement for an Enhanced Payment, *you must request, fill out, and submit an Enhanced Payment Form for each injured family member making an Enhanced Payment Claim, in addition to your Base Payment Claim Form.*

You can get the Enhanced Payment Claim Forms from JND (see contact information above). The deadline for submitting Enhanced Payment Claim Forms is June 1, 2021.

If you choose to participate in the settlement, then you will not be able to be part of any other lawsuit against the Defendants.

***Object to the settlement.*** If you believe the proposed settlement is unfair, inadequate, or unreasonable and want to object to its being approved, you must write to the Court explaining why you object.

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To be valid, a written objection **must**:

- Be in writing
- Be signed by you or your lawyer (if you hire one – but you aren't required to hire a lawyer to object)
- Include your name, address, and telephone number
- Identify this case by Docket No. and case caption
- Say the reason for your objection
- Say whether it applies only to you, or to a particular group of class members, or to all class members
- State the name of any and all lawyers representing you and whether the lawyer will appear on your behalf at the Final Approval Hearing.
- Say whether you plan on speaking in person at the Final Approval Hearing (Class Counsel will contact you with information about how to participate in the hearing).
- Mail your objection to the following address:

Jonathan Stuckal, Esq.  
Court Officer X10, Complex Litigation Docket  
400 Grand Street, Waterbury, CT 06702.

The Court must receive your objection no later than December 18, 2020. You can object to the settlement even if you decide to participate in the settlement.

You may hire a lawyer at your own expense to do this, or you can represent yourself.

If you object in writing, you or your attorney if you have hired one can speak to the judge at the Final Approval Hearing that will be held on February 5, 2021, but you are not required to do so. The date of this hearing may change.

If you have filed a written objection and want to speak at the Final Approval Hearing, you can confirm the hearing date by calling the Settlement Administrator or checking the “Scheduled Court Dates” for this case on the web at

<http://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWYCV166033559S#Schedule>

***Exclude yourself from the settlement (“Opt Out”).*** You may choose not to participate in the settlement. To opt out, you must notify the Settlement Administrator in writing by a letter postmarked, a text message sent or an email received, no later than December 18, 2020.



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To be valid, your written opt out notice **must:**

- Include your full name, address, telephone number
- You must sign the notice
- The notice must state the following:

“I want to be excluded from the Church Street South Settlement and understand that by excluding myself, I will not be able to get any money or other benefits from the settlement”

- Your opt out notice must be mailed, texted, or emailed to the Settlement Administrator at the following address:

Church Street South Settlement  
c/o JND Legal Administration  
P.O. Box xxxxx  
Seattle, WA 98111-9418  
Text or email: [email address]

**IMPORTANT: If you opt out, you will not get any payment or other benefit from the settlement.**

This is the only option that allows you to bring a separate lawsuit against the Defendants, at your own expense. If you choose to opt out, you may not object to the settlement.

***Do nothing.*** If you do not send in the Base Payment Claim Form or the opt out notice:

**You will not get any payment or other benefit from the settlement AND you may not be able to bring a private lawsuit against Church Street South.**

Doing nothing is different from sending an opt out notice because if you opt out you may still hire a lawyer at your own expense to bring a separate lawsuit against Church Street South. If you do nothing, you will give up your legal claims against Church Street South and you will receive nothing from the settlement.

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## **How to Sign Up to Get Benefits in the Settlement**

To receive payments and other benefits in the settlement, you **MUST** do one of the following:

1. **Fill out, sign, and send in Base Payment Claim Form by April 15, 2021.** Although this deadline could be extended if final approval of the Settlement is delayed, class members should assume that this date is firm unless they receive notice from the Court or parties indicating otherwise.

### **How to send in your claim form:**

Fill in the form online: Contact JND and request a link to a secure online Base Payment Claim Form. Text or email JND at [address]. Fill in the online form no later than April 15, 2021.

By text or email: Take a photo of your filled out and signed claim form, and text or email the photo no later than April 15, 2021 to [address].

By mail: Mail your claim form no later than April 15, 2021 using the addressed and pre-paid envelope attached to this packet (no need to add postage), or your own envelope (you'll have to pay for the postage) to the following address.

Church Street South Settlement  
c/o JND Legal Administration  
P.O. Box xxxxx  
Seattle, WA 98111-9418

**Or**

2. **Send an email or text saying you want to participate in the settlement by April 15, 2021.** Although this deadline could be extended if final approval of the Settlement is delayed, class members should assume that this date is firm unless they receive written notice from the Court that the date has changed.

In your email or text, please include your name, address, and the following unique code that has been assigned to you: #####, and email or text to [address]. If you were not an authorized tenant you may request a code from JND at the above mail or email address.

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**Where Can I Get Help/Ask Questions?**

If you have questions about the settlement or need assistance with the Forms:

- Text or email your question to [email address for settlement];
- Call toll free 1-8XX-XXX-XXXX to speak with a customer service representative.

**How Can I Get a Copy of the Lawsuit/Proposed Settlement?**

- View or download a copy from the Superior Court web site at the following Web address: [specific Superior Court web address to follow after filing of agreement]; or
- Send a text or email asking for a copy of the Second Amended Settlement Agreement to [email address for settlement]
- Call toll free 1-8XX-XXX-XXXX to speak with a customer service representative.

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**BASE PAYMENT CLAIM FORM**

To receive payments in the settlement, please provide the requested information for yourself [and all listed family members], sign the form, and mail, email, or text the form as directed below.

Name	Initial Base Payment	Please Provide This Information –if you have it. If not, leave it blank		
		Date of Birth	Social Security Number. If you don't have it, leave this box blank.	States other than Connecticut where you or family member lived or received medical treatment after leaving Church Street South
[Name]	[Amt]			
[Name]	[Amt]*			
[Name]	[Amt]*			
[Name]	[Amt]*			

[Additional lines added as needed]

\*Base payments to children will be paid into a trust until the child is 18. Parents or guardians can apply to the trustee appointed by the court for payments on behalf of the child.

**Please check the boxes below if either applies to you.** (These will not apply to most people).

**Military service members and families:** I or my family have military health care coverage

**Disability:** I have been determined to be disabled by the federal or state government

Check Here


**I have reviewed this notice and I want to participate in the proposed class action settlement on behalf of myself and the children listed above.**

Sign here: \_\_\_\_\_ Date \_\_\_\_\_  
                   [Name]

Phone or email of head of household \_\_\_\_\_

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**If you are signing for a child or someone else, read and sign**

If you are signing this form for a child or children under the age of 18 or for a legally incapacitated person, please, print that person's name below and check the box that applies to you.

**Person or people you are making a claim for:** \_\_\_\_\_

\_\_\_\_\_

(Print names)

I hereby certify under the pains and penalties of perjury that I am one or more of the following (check all boxes that apply to you):

**I am a parent of the child making this claim**

**I am a legal guardian of the child making this claim**

**I have custody of the child making this claim**

**I am a conservator for or have a durable power of attorney to act on behalf of the adult making this claim (the Settlement Administrator can provide the form for the adult to complete to allow another adult to file the form for her or him).**

**I am the administrator or executor of the estate of the deceased class member on whose behalf this claim is made, or a family member of the deceased class member.**

**Signature of person making claim:**

\_\_\_\_\_  
(Sign here)

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**REQUEST FOR ENHANCED PAYMENTS**

**IMPORTANT.** If you or members of your family can show that you suffered serious injuries that were caused by mold in your apartment, including serious illness or serious property damage, you can apply for additional payments called “Enhanced Payments.” To apply for Enhanced Payments, please list the names of any family members (including you) who want to apply for Enhanced Payments, and then sign below. You will receive an Enhanced Payment Claim Form to fill out for each person you list.

**List people making Enhanced Payment claims here:**

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\_\_\_\_\_  
**Sign here**

**Return this form by text, email, or mail by no later than April 15, 2021:**

By text or email: Take a photo of your filled out and signed claim form, and text or email the photo no later than April 15, 2021 to [address].

By mail: Mail your claim form no later than April 15, 2021 using the addressed and pre-paid envelope attached to this packet (no need to add postage), or your own envelope (you’ll have to pay for the postage) to the following address.

Church Street South Settlement  
c/o JND Legal Administration  
P.O. Box xxxxx  
Seattle, WA 98111-9418