

HOUSE No. 895

By Mr. Toomey of Cambridge, petition of Joseph B. Harrington (mayor of Salem) for legislation relative to actions of summary process during the existing housing shortage. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT RELATIVE TO ACTIONS OF SUMMARY PROCESS DURING THE EXISTING HOUSING SHORTAGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. So long as this act continues in force,
2 a stay of judgment and execution shall be granted
3 upon application of the tenant in any action of sum-
4 mary process to recover possession of premises occu-
5 pied for dwelling purposes, other than a room or
6 rooms in a hotel, lodging house or rooming house,
7 where a tenancy has been terminated without fault
8 of the tenant, either by operation of law or by act of
9 the landlord, except by a notice to quit for non-
10 payment of rent as provided in section twelve of
11 chapter one hundred and eighty-six of the General
12 Laws, or for wilful and substantial waste or damage
13 to the premises unless and until the landlord satisfies
14 the court that the tenant is able to secure suitable
15 premises for himself and his family elsewhere within

16 the city or town in a neighborhood similar to that in
17 which the premises occupied by him are situated.

1 SECTION 2. This act shall remain in force during
2 the existing housing shortage until the governor,
3 with the advice and consent of the council, or both
4 branches of the general court by a joint resolution,
5 proclaim an end to such emergency.