

By Mr. Galotti of Belmont, petition of Julie McDonald relative to further regulating control of rents and evictions by certain cities and towns. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT FURTHER REGULATING THE CONTROL OF RENTS AND EVICTIONS
BY CERTAIN CITIES AND TOWNS.

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. Paragraph (b) of section 3 of chapter 842 of the
2 acts of 1970 is hereby amended by adding the following clause: —
3 (8) rental units which are vacant or which may become vacant
4 on December one, nineteen hundred seventy-five, or anytime
5 thereafter. For purposes of this clause, a rental unit shall be
6 construed to have been vacated when the occupant is a person or
7 persons other than the occupant or occupants of said rental unit
8 prior to Decmeber one, nineteen hundred seventy-five, except for
9 a spouse or any children born to them during the term of their
10 occupancy.

1 SECTION 2. Section 8 of chapter 842 of the acts of 1970 is
2 hereby amended by striking out the first sentence of paragraph
3 (b) and inserting in place thereof the following two sentences: —
4 (b) On its own initiative, the board or administrator shall
5 make an annual general adjustment, by percentage, in the
6 maximum rent for all classes of controlled rental units within the
7 municipality. Said general adjustment shall be based upon the
8 increase or decrease in the operating costs for each of the classes
9 of controlled rental units pursuant to guidelines established by
10 the bureau created by section four hereof.
11 and further amended by adding the following paragraph: —

12 (e) The board or administrator shall hold a public hearing
13 within sixty days of receipt of a petition for an adjustment of rent
14 if a hearing is requested. The board or administrator shall render
15 a final decision on the petition for a rent adjustment within thirty
16 days of the public hearing. If a tenant requests a hearing, the
17 hearing shall be held. Failure to comply with the provisions of
18 this paragraph shall constitute approval of the petition retroac-
19 tive to the date of the petition. The provisions of this paragraph
20 may be waived or extended upon the written request of the
21 applicant.

1 SECTION 3. Chapter 842 of the acts of 1970 is hereby
2 amended by striking out section 13, as most recently amended by
3 chapter 360 of the acts of 1974, and inserting in place thereof the
4 following section: —

5 *Section 13.* This act and all powers delegated herein shall
6 terminate on December thirty-first, nineteen hundred and
7 seventy-seven; provided that the provisions of this act shall be
8 treated as still remaining in force for the purpose of sustaining
9 any proper suit, action or prosecution with respect to any right,
10 liability or offense arising under the provisions of this act.