

ACTS, 1985. – Chap. 803.

prescribed. In addition, the commissioner may revoke a group's certificate of approval if, after notice and opportunity for hearing, the commissioner finds that (a) any certificate of approval that was issued to the group was obtained by fraud; (b) there was a material misrepresentation in the application for the certificate of approval; or (c) the group or its administrator has misappropriated, converted, illegally withheld, or refused to pay over upon proper demand any monies that belong to a member, an employee of a member, or a person otherwise entitled thereto and that have been entrusted to the group or its administrator in its fiduciary capacities.

(B) Any ruling, order or decision of the commissioner under authority of this section shall be subject to review by appeal to the superior court department of the trial court at the instance of any party in interest, which appeal shall be on the basis of the record of the proceeding before the commissioner. Said court shall have jurisdiction to modify, amend, annul, review, or affirm such action, order, finding or decision, shall review all questions of fact and of law involved therein, and may make any other appropriate order or decree. Said court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the commissioner.

Approved January 10, 1986.

Chapter 803. AN ACT ESTABLISHING A DISQUALIFICATION SYSTEM FOR THE SALE OF CERTAIN CITY AND TOWN PROPERTIES.

Be it enacted, etc., as follows:

Section 77B of chapter 60 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after the second paragraph the following paragraph:—

Any officer or board which executes a deed to convey property acquired by a city or town by foreclosure of a tax title or under section eighty, shall not execute such deed to any person unless such person has submitted to said board or officer a statement signed under the pains and penalties of perjury that neither he nor any person who would gain equity in the property as a result of such conveyance has ever been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; or is delinquent in the payment of real estate taxes to the city or town in which the property is being sold, or if delinquent, that a pending application for abatement of such tax, or a pending petition before the appellate tax board or the county commissioners has been filed in good faith. If there is more than one grantee of such deed, each grantee must file such statement, and no such deed shall be valid unless it contains a recitation that the board or officer granting the deed has received such statement.

Approved January 10, 1986.