

By Mr. Businger of Brookline, petition of Eleanor Myerson, John A. Businger, Richard L. Walsh, Jack H. Backman and others (by vote of the town) relative to regulating the conversion of certain apartment buildings in the town of Brookline. Urban Affairs. [Local Approval Received.]

## The Commonwealth of Massachusetts

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

### AN ACT REGULATING THE CONVERSION OF CERTAIN APARTMENT BUILDINGS IN THE TOWN OF BROOKLINE.

*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. DECLARATION OF EMERGENCY. The gen-  
2 eral court finds and declares that a serious public emergency exists  
3 in the town of Brookline with respect to the housing of a substan-  
4 tial number of the citizens of said town, which emergency has been  
5 created by housing demolition, an expanding student population,  
6 a substantial elderly population, deterioration of a substantial  
7 portion of the existing housing stock, insufficient new housing  
8 construction, increased costs of construction and finance, infla-  
9 tion and the effects of the conversion of rental units to condomin-  
10 iums and which has resulted in a substantial and increasing  
11 shortage of rental housing accommodations and in abnormally  
12 high rents; that unless residential rents and evictions of tenants are  
13 regulated and controlled, such emergency and the further infla-  
14 tionary pressures resulting therefrom will produce serious threats  
15 to the public health, safety and general welfare of the citizens of  
16 Brookline, particularly families of low and moderate income and  
17 elderly on fixed income; that such emergency should be met by the  
18 commonwealth immediately and with due regard for the rights and  
19 responsibilities of Brookline.

1 SECTION 2. Notwithstanding the provisions of Chapter Forty  
2 A and Chapter One Hundred Eighty-Three A of the General Laws,  
3 or any general or special law to the contrary, the town of Brookline  
4 may, by bylaw require that no person shall convert an apartment  
5 building or other multi-family dwelling containing four or more  
6 residential units in the town of Brookline, to a condominium  
7 without first obtaining a special permit from the permit granting  
8 authority designated or established in such bylaw.

1 SECTION 3. The superior court shall have jurisdiction to  
2 enforce the provisions of this ACT, and any bylaws adopted there-  
3 under, and may restrain by injunction violations thereof.

1 SECTION 4. The town, in any bylaws adopted hereunder, shall  
2 establish standards and rules for the granting of special permits  
3 from the permit granting authority.

1 SECTION 5. Decisions of the permit granting authority shall  
2 be reviewable by the superior court in the same manner and to the  
3 same degree as decisions of a Board of Appeals, under General  
4 Laws, Chapter Forty A.

1 SECTION 6. This ACT shall take effect upon its passage.