

SENATE No. 767

By Mr. Backman, a petition (accompanied by bill, Senate, No. 767) of Jack H. Backman, James Segel, John A. Businger and Norman S. Weinberg for legislation to enable cities and towns to protect tenants in FHA developments by local rent and eviction control. Local Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO ENABLE CITIES AND TOWNS TO PROTECT TENANTS IN FHA DEVELOPMENTS BY LOCAL RENT AND EVICTION CONTROL.

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 general court
2 finds and declares that the housing emergency described in
3 section one of Chapter 842 of the Acts of 1970 has continued
4 unabated, and, unless curbed by rent and eviction controls, in
5 many communities it will result in substantial rent increases
6 which tenants can not afford, greater fear of eviction, and
7 imposition of the burden of inflation unto rent payers rather
8 than landlords, developers, and banks, and will increase the
9 serious threats to the public health, safety, and general wel-
10 fare. The emergency has intensified in many areas, and is
11 particularly acute in FHA developments. Therefore, the gen-
12 eral court finds and declares that it is clearly necessary, to
13 protect the public health, safety, and general welfare, to em-
14 power local cities and eligible towns to extend coverage of
15 local rent and eviction control to tenants in FHA develop-
16 ments.

1 SECTION 2. Any municipality eligible to adopt rent and
2 eviction control legislation is hereby empowered to extend
3 coverage of such legislation to FHA developments. The cover-
4 age of rent and eviction control shall extend to FHA develop-
5 ments upon the effective date of this act in all municipalities
6 which have adopted rent control, and 30 days after the date

7 of acceptance of rent control in municipalities which adopt
8 rent control after the effective date of this act.

1 SECTION 3. Section three of Chapter 842 of the Acts of 1970
2 is hereby amended by:

3 (a) adding the following phrase to subsection 3(b) (2):
4 "except that this exemption shall not apply to FHA develop-
5 ments";

6 (b) inserting after subsection 3(b) (3) (iii) the following
7 new subsection: "(iv) provided, however, that the coverage
8 of this act shall extend to FHA developments"; and

9 (c) inserting after subsection 3 (d) the following new sub-
10 section: "(e) 'FHA developments,' any rental units in housing
11 developments which are financed, insured or subsidized, in
12 whole or part, by any federal government unit or agency, re-
13 gardless of when built."

1 SECTION 4. Chapter 842 of the Acts of 1970 as amended by
2 Chapter 360 of the Acts of 1974 is hereby amended by striking
3 out Section 13.