

# HOUSE . . . . . No. 3201

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By Mr. Morrissey of Quincy, petition of Michael W. Morrissey for legislation to provide the procedure for amending a master deed relative to condominiums. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Ninety.

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AN ACT TO PROVIDE FOR AMENDING A MASTER DEED UNDER CHAPTER 183A.

*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 5 of Chapter 183A as most recently amended, is hereby  
2 further amended by adding a new subparagraph (h) to read as  
3 follows: —

4 (h) Where economic necessity, supervening impossibility  
5 (legal, physical or otherwise), mistake, fraud or any unforeseen  
6 irremediable event requires in justice or in equity the reformation  
7 of a master deed, a unit owner or owners may bring a civil action  
8 assented to by not less than two-thirds (2/3) of the unit owners  
9 in the land court department of the trial court. Upon the com-  
10 mencement of such proceeding the land court department shall  
11 require notice by registered mail or otherwise, to all unit owners  
12 who are not plaintiffs and have not assented to the action and  
13 such other parties in interest of record as the court may require,  
14 and shall after hearing grant such relief as is meet and just.

