

By Mr. Vellucci of Cambridge, petition of Peter A. Vellucci, Gloria L. Fox and Joseph K. Mackey for legislation to strengthen disclosure provisions of the law regulating insurance contracts against losses by fire. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT STRENGTHENING DISCLOSURE PROVISIONS OF THE LAW REGULATING INSURANCE CONTRACTS AGAINST LOSSES BY FIRE.

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. Chapter 186 of the General Laws is hereby
2 amended by striking out section 21, as amended by chapter 221
3 of the acts of 1983 and inserting in place thereof the following
4 section: —

5 Section 21. The landlord or lessor of any residential or
6 commercial property except owner-occupied dwellings of four
7 units or less shall post in plain view on the premises the name,
8 address, and telephone number of the person or persons
9 managing the property, the name and address of the company
10 insuring the property, the name and address of the person or
11 persons owning the property if different from the property's
12 manager, the name and address of any person who would receive
13 payment for a loss covered by such insurance, and the name of
14 any person or lending institution holding mortgage equity in the
15 property.

16 The landlord or lessor of any residential or commercial property
17 except owner-occupied dwellings of four units or fewer, upon the
18 written request of any tenant or lawful occupant or of any code
19 or other law enforcement official, shall disclose in writing within
20 fifteen days of such request a copy of all the information disclosed
21 in paragraph one of this section and the amount of insurance

22 provided by each insuring company and the loss record to fire
23 in the last seven years of any owners or persons named as a
24 beneficiary in the properties fire insurance policy, the insurance
25 company issuing the policy in these fires, any person or lending
26 institutions holding mortgage interest in those properties, and the
27 fire marshal's listed cause for fire.

28 Whoever violates the provisions of this section shall be punished
29 by a fine of not more than two thousand dollars. A waiver of this
30 section in any lease or other rental agreement shall be void and
31 unenforceable.

1 SECTION 2. If any section, subsection, paragraph, sentence
2 or word of this act shall be held unconstitutional, either on its
3 face or application, the unconstitutionality of this section,
4 subsection, paragraph, sentence or word, or application thereof
5 shall not affect any other section, subsection, paragraph, sentence,
6 or word, or application thereof of this act; and to this end, all
7 sections, subsections, paragraphs, sentences, or words of this Act
8 are intended to be severable.