

By Mr. Coffey of Springfield, petition of John F. Coffey that owners of certain residences taken by eminent domain be permitted to recover additional interest expenses necessitated by the purchase of a new home. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT ALLOWING OWNERS OF CERTAIN RESIDENCES TAKEN BY EMINENT DOMAIN TO RECOVER ADDITIONAL INTEREST EXPENSES NECESSITATED BY THE PURCHASE OF A NEW HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 79 of the General Laws is hereby amended by in-
2 serting after section 32, as appearing in the Tercentenary Edi-
3 tion, the following section:—

4 *Section 32A.* When the property which is taken by eminent
5 domain is mortgaged, contains no more than three apartments
6 and is occupied by the owner, and said owner shall purchase and
7 occupy another residence containing no more than three apart-
8 ments within six months from the date of the receipt of a pro
9 tanto payment, he shall be entitled to recover, in addition to any
10 other damages provided for in this chapter, the cost of any in-
11 creased rate of interest incurred by borrowing money for the
12 purchase of said residence, if any. Such additional cost, how-
13 ever, shall be limited to and shall be computed on the basis of
14 the difference between the interest that the owner would have
15 been required to pay on the balance and for the period remain-
16 ing on his original mortgage at the time of such pro tanto pay-
17 ment, and the interest to be paid for the like balance and period
18 of his new mortgage.

