

By Mr. Bulger, a petition (accompanied by bill, Senate, No. 590) of William M. Bulger, John J. Conte and members of the House of Representatives for legislation to extend the discretion of the court in relation to collection and disbursement of rental payments in certain actions of summary process. The Judiciary.

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The Commonwealth of Massachusetts

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

AN ACT EXTENDING THE DISCRETION OF THE COURT IN RELATION TO COLLECTION AND DISBURSEMENT OF RENTAL PAYMENTS IN CERTAIN ACTIONS OF SUMMARY PROCESS.

*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 eight A of chapter two hundred thirty-nine of the  
2 General Laws as most recently amended by chapter three  
3 hundred fifty-five of the Acts of one thousand nine hundred  
4 and sixty-nine, is hereby further amended by striking out the  
5 third paragraph and inserting in its place the following:

6 The court may require the person claiming a defense under  
7 this section to pay into court the fair value of the use and  
8 occupancy of the premises or make a deposit in court of that  
9 amount, or such installments thereof from time to time as  
10 the court may direct for the occupancy of the premises. Such  
11 funds may be expended for the repair of the premises by such  
12 persons as the court may direct, including if appropriate a  
13 receiver appointed as provided in section one hundred twenty-  
14 seven H of chapter one hundred eleven. If the premises have  
15 not been placed in full compliance with law within three  
16 months after any funds were initially paid into or deposited in  
17 court, any funds remaining in court and not expended for the  
18 repair of the premises shall be returned to the person from  
19 whom the funds were received.

