

HOUSE No. 5789

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 1, 1974.

The committee on Urban Affairs, to whom was recommitted the Bill providing that certain eviction proceedings for non-payment of rent shall be continued by the court hearing the same (House, No. 1155, changed), report recommending that the same ought to pass in the form of a new draft herewith submitted (House, No. 5789).

For the committee,

JOHN A. BUSINGER.

The Commonwealth of Massachusetts

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

AN ACT FURTHER DEFINING THE RIGHTS OF TENANTS IN CERTAIN SITUATIONS INVOLVING DELAYED PAYMENTS BY CERTAIN AGENCIES.

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. Section 11 of chapter 186 of the General Laws
2 is hereby amended by adding the following sentence:

3 If the neglect or refusal to pay the rent due was not the fault
4 of the tenant, but rather was caused by the failure of any federal,
5 state or local authority, department or agency to send or deliver,
6 or by any delay attributable to said authority, department or
7 agency in the mailing or delivery of any subsistence or rental
8 payment, check or voucher other than a salary payment to either
9 the tenant or the landlord, the court in any such action shall
10 continue the hearing not less than seven days in order to furnish
11 notice of such action to the appropriate agency and shall, if all
12 rent due with interest and costs of suit has been tendered to the
13 landlord within such time, treat the tenancy as not having been
14 terminated.

1 SECTION 2. Section 12 of said chapter 186 is hereby
2 amended by adding the following sentence: -

3 If the neglect or refusal to pay the rent was not the fault of
4 the tenant, but rather was caused by the failure of any federal,
5 state or local authority, department or agency to send or deliver,
6 or by any delay attributable to said authority, department or
7 agency in the mailing or delivery of any subsistence or rental
8 payment, check or voucher other than a salary payment to either
9 the tenant or the landlord, the court in any action for possession
10 shall continue the hearing not less than seven days in order to
11 furnish notice of such action to the appropriate agency and shall,
12 if all rent due with interest and costs of suit has been tendered to
13 the landlord within such time, treat the tenancy as not having
14 been terminated.