

By Mr. Cusack of Arlington, petition of Arthur M. Zweil, Jr., and John F. Cusack relative to the refusal to pay rent due under certain written leases. Housing and Urban Development.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

### AN ACT RELATIVE TO DETERMINATION OF LEASES.

*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 as amended by Section 1 of Chapter 494 of the Acts of 1977, is  
3 hereby amended by striking out section 11 and inserting in place  
4 thereof the following Section: —

5 Upon the neglect or refusal to pay the rent due under a written  
6 lease, fourteen days' notice to quit, given in writing by the landlord  
7 to the tenant, shall be sufficient to determine the lease, unless the  
8 tenant, on or before the day the answer is due, in an action by the  
9 landlord to recover possession of the premises, pays or tenders to  
10 the landlord or to his attorney all rent then due, with interest, costs  
11 of suit and reasonable attorneys' fees. If the neglect or refusal to  
12 pay the rent due was caused by a failure or delay of the federal  
13 government, the commonwealth or any municipality or any  
14 departments, agencies or authorities thereof, in the mailing or  
15 delivery of any subsistence or rental payment, check or voucher  
16 other than a salary payment to either the tenant or the landlord,  
17 the court in any such action shall continue the hearing not less than  
18 seven days in order to furnish notice of such action to the appro-  
19 priate agency and shall, if all rent due with interest and costs of suit  
20 and reasonable attorney's fees has been tendered to the landlord  
21 within such time, treat the tenancy as not having been terminated.

22 The mailing by certified mail, by first class mail evidenced by a  
23 certificate of mailing from the United States Post Office or by  
24 registered mail to the last or usual abode or address of the tenant

25 by the landlord or his agent of a fourteen days' notice to quit  
26 constitutes sufficient delivery to the tenant; provided however that  
27 three days' time for mailing shall be added to the fourteen day  
28 notice period.

1 SECTION 2. This act shall take effect upon its passage.