

By Mr. Businger of Brookline, petition of John A. Businger for legislation to require landlords to provide certain notices to tenants. Housing and Urban Development.

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**The Commonwealth of Massachusetts**

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

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AN ACT RELATIVE TO THE DUTY OF LANDLORDS TO PROVIDE CERTAIN NOTICES TO TENANTS.

*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 186 of the General Laws is hereby amended by inserting  
2 after section 14 the following section: —

3 Section 14A. Whenever the provisions of any rental agreement  
4 permit a landlord or lessor of premises rented or occupied for  
5 dwelling purposes, to enter upon such premises for any reason  
6 during the term of the tenancy, such entry shall be made only at  
7 reasonable hours and only after written notice and a statement  
8 of the reasons therefore is given to the tenant at least twenty-four  
9 hours in advance of each such entry. No tenant or occupant shall  
10 deny access to the premises for such stated purposes; provided,  
11 however, that if the tenant informs the landlord or lessor that the  
12 time or date designated by the landlord is inconvenient, the parties  
13 shall establish a reasonably convenient alternative date and time.  
14 If the tenant unreasonably withholds consent to such entry, the  
15 landlord may enter the premises for such stated purpose at a  
16 reasonable hour if a second notice of at least twenty-four hours  
17 is given; provided, however, that whenever the landlord or lessor  
18 is entitled or required to enter to make any repairs, required by  
19 law or by the terms of the rental agreement, and such repairs are  
20 of an emergency nature requiring immediate entry, the landlord  
21 or lessor may enter immediately, without advance notice, but shall  
22 notify the tenant or occupant in writing of each such emergency  
23 entry and the reasons therefor within twenty-four hours after such  
24 entry.

25 Nothing in this section shall be construed to prevent a landlord  
26 or lessor or a public official from entering for the purposes of  
27 obtaining possession of the premises pursuant to a valid court  
28 order. Any violation of the provisions of this section shall be  
29 deemed to be a violation of the provisions of section fourteen  
30 which govern the direct or indirect interference with the quiet  
31 enjoyment of residential premises by the occupant thereof.

32 The provisions of section eighteen of this chapter and section  
33 two A of chapter two hundred and thirty-nine shall apply to any  
34 tenant or occupant invoking his rights under this section. Any  
35 provision of any rental agreement purporting to waive the  
36 provisions of this section shall be void as against public policy.