

HOUSE No. 3151

By Mr. Lemanski of Chicopee, petition of Kenneth M. Lemanski for legislation to provide for judicial discretion in applying triple damages relative to security deposits. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR JUDICIAL DISCRETION IN APPLYING TRIPLE DAMAGES PERTAINING TO SECURITY DEPOSITS.

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, Section 15B(7) as written is deleted and the
2 following substituted in its place:
3 (7) If the lessor or his agent fails to comply with clauses (a),
4 (d), or (e) of subsection 6 the tenant may be awarded, at the
5 discretion of the court, according to the degree of culpability,
6 damages up to an amount equal to three times the amount of said
7 security deposit or balance thereof to which the tenant is entitled,
8 plus interest on said amount as determined by the court, at the
9 rate of five percent from the date of said payment became due,
10 together with court costs and reasonable attorney's fees.

