

By Mr. Businger of Brookline, petition of John A. Businger, Kevin W. Fitzgerald and John E. McDonough for legislation to further regulate warehouse charges for the storage of belongings for certain evicted tenants. Housing and Urban Development.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING CERTAIN WAREHOUSE CHARGES FOR THE STORAGE OF BELONGINGS FOR CERTAIN EVICTED 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 SECTION 1. Chapter 40 of the General Laws is hereby
2 amended by inserting after section 4H the following section: —
3 Section 4I. A city or town may invite proposals to be submitted
4 in accordance with the provisions of section four B from
5 warehouses located within said city or town setting rates for the
6 storage of the personal property of evicted tenants under the
7 provisions of section four of chapter two hundred and thirty-nine.
8 Said city or town shall choose the warehouse submitting the
9 lowest responsible bid as the approved warehouse for the storage
10 of such property.

1 SECTION 2. Section 4 of Chapter 239 of the General Laws,
2 as most recently amended by Chapter 357 of the Acts of 1987,
3 is hereby further amended by striking out the first two sentences
4 and inserting in place thereof the following two sentences: —
5 If an officer, serving an execution issued on a judgment for the
6 plaintiff for possession of land or tenements, removes personal
7 property, belonging to a person other than the plaintiff, from the
8 land or tenements and places it upon the sidewalk, street or way
9 on which the land or tenements abut, he may forthwith, and before
10 the expiration of the time limited in any ordinance or by-law for
11 the removal of obstructions in the street, remove such property
12 and cause it to be stored for the benefit of the owners thereof;

13 provided, however, that such property shall be stored only in
14 warehouses located in cities and towns which have chosen such
15 warehouses after a process of open bidding has been completed
16 and rates for such storage have been approved. Whoever accepts
17 the same on storage from such officer shall have a lien thereon
18 for such approved storage fees and for reasonable expenses of
19 removing it to the place of storage, but such lien shall not be
20 enforced by sale of the property until it has been kept on storage
21 for at least six months.