

By Mr. Donnelly of Boston, petition of Gerald F. O'Leary for legislation to regulate the rights of tenants to be reimbursed by their landlords for the cost of certain repairs. Urban Affairs.

**The Commonwealth of Massachusetts**

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

AN ACT REGULATING THE RIGHTS OF TENANTS TO BE REIMBURSED BY THEIR LANDLORDS FOR THE COST OF CERTAIN REPAIRS.

*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 127L of chapter 111 of the General Laws, as most  
2 recently amended by chapter 799 of the acts of 1972, is hereby  
3 further amended by striking out the first paragraph and  
4 inserting in place thereof the following paragraph:—

5 *Section 127L.* When violations of the standards of fitness for  
6 human habitation as established in the state sanitary code, or of  
7 other applicable ordinances, by-laws, rules or regulations, may  
8 endanger or materially impair the health, safety or well-being of  
9 a tenant or tenants of residential premises and private and  
10 public multi-housing units and are so certified by the board of  
11 health or local code enforcement agency or, in the city of Boston  
12 by the commissioner of housing inspection, or by a court of law,  
13 and if the owner or his agent has been given written notice of the  
14 existence of the violations by any of the preceding boards,  
15 agencies, municipal departments or courts and if the owner or  
16 his agent has failed to begin all necessary repairs, or to contract  
17 in writing with a third party for such repairs within three days  
18 after receipt of such written notice, and to substantially  
19 complete all necessary repairs within twenty-one days of the  
20 receipt of said notice, unless any of the preceding boards,  
21 agencies, municipal departments or courts have ordered that  
22 said violations be corrected within a shorter period, in which

23 case said period shall govern, the tenant or tenants may repair or  
24 have repaired the defects or conditions constituting the  
25 violations. The tenant or tenants may subsequently deduct from  
26 any rent which may subsequently become due, subject to the  
27 provisions of the following paragraph, an amount necessary to  
28 pay for such repairs. The tenant or tenants may, alternatively in  
29 such cases, treat the lease or rental agreement as abrogated, pay  
30 only the fair value of their use and occupation and vacate the  
31 premises within a reasonable time.