

**HOUSE . . . . . No. 6277**

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, July 25, 1996.

The committee on Housing and Urban Development, to whom was recommitted the Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of a certain House document concerning rental subsidies for tenants in the town of Brookline (House, No. 5682), reports recommending that the accompanying bill (House, No. 6277) ought to pass.

For the committee,

CHARLOTTE GOLAR RICHIE.

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Recommended by the committee on Housing and Urban Development as a substitute for an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of a certain House document concerning rental subsidies for tenants in the town of Brookline, and as changed by the committee on Bills in the Third Reading. July 25, 1996.

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## The Commonwealth of Massachusetts

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

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### AN ACT AUTHORIZING CASH RENTAL SUBSIDIES FOR CERTAIN LOW-INCOME TENANTS IN THE TOWN OF BROOKLINE.

*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. As used in this act, the following words shall have  
2 the following meanings:—

3 (a) "Income eligible", when applicable to subsections (a) to (e),  
4 inclusive, of section two, shall mean having an income, which  
5 when combined with the incomes of all other persons residing in  
6 the same unit, is eighty percent or less of the median income for  
7 the Boston primary metropolitan statistical area as set forth in or  
8 determined based upon regulations promulgated from time to time  
9 by the United States Department of Housing and Urban  
10 Development pursuant to Section 8 of the Housing Act of 1937 as  
11 amended, and calculated pursuant to said regulations.

12 (b) "Income eligible", when applicable to subsections (a), (b),  
13 (d), (e), and (f), of section 2, shall mean having an income, which  
14 when combined with the incomes of all other persons residing in  
15 the same unit, is sixty percent or less of the median income for the  
16 Boston primary metropolitan statistical area as set forth in or  
17 determined based upon regulations promulgated from time to time  
18 by the United States Department of Housing and Urban  
19 Development pursuant to Section 8 of the Housing Act of 1937 as  
20 amended, and calculated pursuant to said regulations.

21 (c) "Landlord", the owner of a rental unit, and in the case of an  
22 owner which is not a natural person, including without limitation a

23 corporation, trust or partnership, shall include all officers, direc-  
24 tors, agents, stockholders, partners, trustees, trust beneficiaries, or  
25 other beneficial owners.

1 SECTION 2. Notwithstanding the provisions of chapter two  
2 hundred and eighty-two of the acts of nineteen hundred and  
3 ninety-four or any other general or special law to the contrary, the  
4 town of Brookline may, at any town meeting, appropriate money  
5 for providing cash rent subsidies to a tenant, and to the owner of  
6 the unit occupied by a tenant, where if the tenant is income eli-  
7 gible pursuant to subsection (a) of section one, satisfies all of the  
8 conditions of subsections (a) to (e), inclusive, of section two; or if  
9 the tenant is income eligible pursuant to subsection (b) of said  
10 section one, satisfies all of the conditions of subsections (a), (b),  
11 (d), (e) and (f) as set forth herein;

12 (a) was income eligible as of January first, nineteen hundred  
13 and ninety-five, and has continued thereafter to be and remains  
14 income eligible as so defined;

15 (b) was an occupant on November eighth, nineteen hundred and  
16 ninety-four of a covered rental unit, as defined in subsection (c) of  
17 section three of chapter two hundred and eighty-two of the acts of  
18 nineteen hundred and ninety-four, and has continued thereafter to  
19 be and remains an occupant of a rental unit in the town of  
20 Brookline;

21 (c) is a member of a household in which there is and continues  
22 to be at least one occupant who was an occupant of a covered  
23 rental unit as of November eighth, nineteen hundred and ninety-  
24 four, and (i) who had reached the age of sixty-two years on or  
25 before November eighth, nineteen hundred and ninety-four, or  
26 was physically or mentally disabled on November eighth, nineteen  
27 hundred and ninety-four and has continued thereafter to be and  
28 remains physically or mentally disabled, or (ii) who is and con-  
29 tinues to be a dependent child under the age of eighteen;

30 (d) is not related by blood or marriage to his landlord;

31 (e) was found by the Brookline rent control board prior to  
32 January first, nineteen hundred and ninety-seven to be an occu-  
33 pant of a covered rental unit, as is defined in subsection (c) of said  
34 section three; and

35 (f) is a member of a household in which there is and continues  
36 to be at least one occupant who was an occupant of a covered

37 rental unit as of November eighth, nineteen hundred and ninety-  
38 four.

1 SECTION 3. Said town may impose additional restrictions on  
2 eligibility for cash rental subsidies in addition to those set forth in  
3 section two and in the definitions of section one; and such cash  
4 subsidies shall be exempt from the provisions of subsection (b) of  
5 section (4) of chapter forty O of the General Laws, to the extent  
6 that such provisions would be applicable and would prohibit such  
7 cash subsidies from being provided with respect to rental units  
8 owned by a person or entity owning less than ten rental units or  
9 with respect to rental units having a fair market rent exceeding  
10 four hundred dollars.

1 SECTION 4. This act shall take effect upon its passage.