

By Ms. Graham of Cambridge, petition of Saundra Graham, Doris Bunte, James G. Collins, Kevin W. Fitzgerald and Raymond A. Jordan, Jr., relative to modifying the provisions of law providing for the relocation of persons displaced due to enforcement of certain housing codes. Urban Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT MODIFYING THE PROVISIONS OF THE LAW PROVIDING FOR THE RELOCATION OF PERSONS DISPLACED DUE TO ENFORCEMENT OF CERTAIN HOUSING CODES.

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. Section 13 of chapter 79A of the General Laws,
2 inserted by section 10 of chapter 863 of the Acts of 1973, is hereby
3 amended by striking out, in the first sentence, the words "for the
4 purpose of enforcing Article II of the state sanitary code pursuant
5 to section one hundred and twenty seven B of chapter one hundred
6 and eleven," and inserting in their place the following: — because
7 of the existence of conditions which are violations of Article II of
8 the state sanitary code.

1 SECTION 2. Said section 13 is hereby further amended by
2 adding after the last paragraph the following three new para-
3 graphs:

4 No person shall receive benefits pursuant to this section where
5 the local code enforcement agency makes a written finding that the
6 violations which resulted in the order to vacate were caused by such
7 person and that the order to vacate would not have been required
8 except for violations caused by such person. Such finding shall
9 specify the violations caused by the person, shall specify other
10 violations existing in the person's unit, and shall be given to such

11 person and the owner of the building at the time the order to vacate
12 is issued.

13 A claim for expenditures made pursuant to the provisions of this
14 section shall constitute a debt due the city or town making the
15 expenditure upon the payment of the benefit and the rendering of
16 an account therefor to the owner of such structure, and shall be
17 recoverable from such owner in an action of contract.

18 Any such debt, together with interest thereon at the rate of 6%
19 per annum from the date such debt becomes due, shall constitute a
20 lien on the land and structure if a statement of claim, signed by the
21 local code enforcement agency, setting forth the amount claimed
22 without interest, is filed within 90 days after the debt becomes due
23 with the register of deeds or record of registration, as the case may
24 be, in the county or in the district, if the county is divided into
25 districts, where the land lies. The collector of the city or town which
26 has expended funds pursuant to this section shall have the same
27 powers and be subject to the same duties with respect to such claim
28 as in the case of the annual taxes upon real estate, and the provi-
29 sions of law relative to the collection of such annual taxes, the sale
30 of taking of land for the nonpayment thereof, and the redemption
31 of land so sold or taken shall apply to such claim.