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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1609) of Joseph F. Timilty and F. John Monahan for legislation to modify the provisions of the law providing for the relocation of persons displaced due to enforcement of certain housing codes. Urban Affairs.

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*The Commonwealth of Massachusetts*

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

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  
3 hereby amended by striking out, in the first sentence, the  
4 words "for the purpose of enforcing Article II of the state  
5 sanitary code pursuant to section one hundred and twenty-  
6 seven B of chapter one hundred and eleven," and inserting in  
7 their place the following: — because of the existence of con-  
8 ditions which are violations of Article II of the state sanitary  
9 code.

1 SECTION 2. Said section thirteen is hereby further amended  
2 by adding after the last paragraph the following three new  
3 paragraphs: —

4 No person shall receive benefits pursuant to this section  
5 where the local code enforcement agency makes a written  
6 finding that the violations which resulted in the order to  
7 vacate were caused by such person and that the order to  
8 vacate would not have been required except for violations  
9 caused by such person. Such finding shall specify the viola-  
10 tions caused by the person, shall specify other violations exist-  
11 ing in the person's unit, and shall be given to such person and  
12 the owner of the building at the time the order to vacate is  
13 issued.

14 A claim for expenditures made pursuant to the provisions

15 of this section shall constitute a debt due the city or town  
16 making the expenditure upon the payment of the benefit and  
17 rendering of an account therefore to the owner of such struc-  
18 ture, and shall be recoverable from such owner in an action  
19 of contract.

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