

**HOUSE . . . . . No. 1255**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Nicholas A. Boldyga***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to protect elderly tenants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/16/2019</i>

**HOUSE . . . . . No. 1255**

By Mr. Boldyga of Southwick, a petition (accompanied by bill, House, No. 1255) of Nicholas A. Boldyga for legislation to establish a rental voucher program to be administered by the Department of Housing and Community Development for persons seventy-five years of age or older. Housing.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act to protect elderly 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: Section 38 of chapter 121B of the General Laws as appearing in the 2016  
2 Official Edition is hereby amended by inserting after the second paragraph the following  
3 paragraph:-

4 The housing authority in each city and town in the commonwealth shall administer a  
5 rental voucher program, which shall be substantially similar to the Massachusetts rental voucher  
6 program administered by the department of housing and community development, for the benefit  
7 of residents aged 75 and over. Upon receipt of a summary process summons and complaint for  
8 nonpayment of rent, any resident aged 75 or over may apply to the city or town wherein they  
9 reside for a rental voucher. The department shall promulgate regulations for the implementation  
10 of the program.

11 SECTION 2: Chapter 239 of the General Laws is hereby amended by inserting after  
12 section 13 the following section:-

13 Section 14. In an action of summary process to recover possession of premises occupied  
14 for dwelling purposes (other than a room in a hotel, or a dwelling unit in a lodging house  
15 or rooming house wherein the occupant has maintained such occupancy for less than three  
16 consecutive months ) by an individual 75 years of age or older, and where the tenancy has been  
17 terminated without fault of the tenant, upon application of the tenant the court shall grant a stay  
18 of execution and judgment for a period not exceeding six months.

19 SECTION 3. Section 5 of chapter 59 of the General Laws is hereby amended by inserting  
20 after clause Third the following section:-

21 Any charitable organization exempt from property taxes under this section shall pay to  
22 the Affordable Housing Trust Fund established by section 2 of chapter 121D an amount equal to  
23 75 per cent of the annual property taxes that it would be required to pay but for the exemption.  
24 The department of housing and community development shall establish a formula for the  
25 equitable distribution of payments from said fund to cities and towns for the administration of  
26 the rental housing voucher program for the benefit of residents aged 75 and over established  
27 under section 38 of chapter 121B.