

HOUSE No. 3890

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the prevention of foreclosed property blight..

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. Chapter 167E of the General Laws is hereby amended by adding the
2 following section:-

3 Section 17. Banks and financial institutions that foreclose on properties shall ensure the
4 proper upkeep and maintenance of such properties. Failure to maintain a property includes but is
5 not limited to, permitting excessive foliage growth that diminishes the value of surrounding
6 properties, failure to winterize a property, failing to take action to prevent trespassers or squatters
7 from remaining on the property, failing to take action to prevent mosquito larva from growing in
8 standing water, or failing to remove rubbish that may attract vermin. Cities and towns shall have
9 the option to impose civil fines of up to \$1,000 per day per violation for failure to maintain the
10 property. Cities and towns that choose to impose fines and penalties pursuant to the bill to give
11 notice of the claimed violation, including a description of conditions giving rise to the claim of
12 violation, give the legal owner an opportunity to remedy the violation at least 14 days prior to
13 imposing fines and penalties and allow the legal owner an opportunity to contest any fines and
14 penalties imposed.