HOUSE DOCKET, NO. 137 FILED ON: 1/12/2015

HOUSE . . . . . No. 3250

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady and Thomas P. Kennedy

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 regulating manufactured or mobile homes in the city of Brockton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Michael D. Brady	*Second Plymouth and Bristol*	*1/12/2015*
Thomas P. Kennedy	*Second Plymouth and Bristol*	*1/13/2015*
Claire D. Cronin	*11th Plymouth*	*1/12/2015*
Michelle M. DuBois	*10th Plymouth*	*1/29/2015*

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By Representative Brady of Brockton and Senator Kennedy, a joint petition (accompanied by bill, House, No. 3250) of Michael D. Brady, Thomas P. Kennedy and others (with the approval of the mayor and city council) that the city of Brockton be authorized to create a rent board for manufactured housing in said city. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act regulating manufactured or mobile homes in the city of Brockton.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The city of Brockton may, by ordinance, establish a rent board for the purpose of regulating rents for the use or occupancy of manufactured housing accommodations or of mobile home park accommodations within the city and for regulating units, minimum standards for use or occupancy of manufactured housing communities or mobile home park communities and eviction of tenants therefrom, and may, by such ordinance, require the registration, by owners of such communities under penalty of perjury of information relating to the manufactured housing accommodations or mobile home park accommodations. The rent board shall consist of 3 members, appointed by the mayor, subject to confirmation by the city council. Rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owners and tenants of manufactured housing communities or mobile home park communities. The rent board shall have all the powers necessary or convenient to perform its functions. The rent board may: make rules and

regulations; sue and be sued; compel the attendance of persons and the production of papers and information; and issue appropriate orders which shall be binding on both the owners and tenants of manufactured housing communities or mobile home park communities. Violations of any regulation adopted under this act or any order of the rent board shall be punishable by a fine of not more than $1,000.

SECTION 2. In regulating rents for such communities, the rent board, established under section 1, may make individual or general adjustments, either upward or downward, as may be necessary to assure that rents for such communities within the city are established at levels, that yield owners a fair net operating income that will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from the institutional first mortgage lenders or such other rates of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or another valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The city of Brockton in its ordinances, or the rent board by regulations, may establish further standards and rules consistent with this act.

SECTION 3. Review of the proceedings of the rent control board shall be conducted pursuant to section 4 of chapter 249 of the General Laws.

SECTION 4. The housing court shall have jurisdiction to enforce this act and any regulations adopted thereunder and may restrain violations thereof.

SECTION 5. The city of Brockton may regulate the eviction of tenants and the rent board, established under section 1, may issue orders which shall be a defense to actions of summary process for possession and the orders shall be reviewable under sections 3 and 4.

SECTION 6. The personnel, if any, of the rent board, established under section 1, shall not be subject to section 9A of chapter 30 of the General Laws or chapter 31of the General Laws.

SECTION 7. This act shall take effect upon its passage.