HOUSE DOCKET, NO. 3949 FILED ON: 5/4/2017

HOUSE . . . . . No. 3701

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan Fernandes and Julian Cyr

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 amending the act authorizing affordable housing convenants in the town of Nantucket.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Dylan Fernandes	*Barnstable, Dukes and Nantucket*	*5/4/2017*

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HOUSE . . . . . No. 3701

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 3701) of Dylan Fernandes (by vote of the town) that the town of Nantucket be authorized to designate the Nantucket Housing Authority as the agency authorized to create, administer and enforce Nantucket housing needs covenants. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act amending the act authorizing affordable housing convenants in the town of Nantucket.

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. Section 2 of Chapter 301 of the Acts of 2002, "An Act Authorizing Affordable Housing Covenants in the Town of Nantucket," is hereby repealed and the following text is inserted in its place:

Section 2. Notwithstanding the provisions of any general or special law to the contrary, the town of Nantucket may adopt by-laws to designate the Nantucket Housing Authority as the agency authorized to create, administer and enforce Nantucket housing needs covenants. These covenants shall run with the land for a specified number of years or if no termination date is specified then in perpetuity, and shall be executed by or on behalf of the owner of the land appropriate to (a) limiting the use of all or part of the land to occupancy by persons or families of middle income in either rental or other housing, except for a "qualified family member" as

defined in Section 8B(2) of Chapter 139 (Zoning) of the Code of Nantucket who shall be exempt from the established income and asset limits otherwise required in said covenants, (b) restricting the resale price of all or part of the property in order to ensure its affordability by future middle income purchasers, or (c) in any way limiting or restricting the use or enjoyment of all or any portion of the land for the purpose of encouraging or ensuring the creation or retention of rental and other housing for occupancy by middle income persons and families.

SECTION 2. This act shall take effect upon its passage.