

HOUSE No. 214

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 relative to consumer rights of renters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/18/2019</i>

HOUSE No. 214

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 214) of Tackey Chan for legislation to prohibit certain supplemental fees levied against prospective tenants or current tenants. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act relative to consumer rights of renters.

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 112 is hereby amended by inserting after section 87ZZ the
2 following new section: -

3 Section 87ZZ ½. Realtors, landlords, residential management companies, or individuals
4 acting on behalf of a property owner pursuant to section 15B of chapter 186, may only charge
5 potential tenants for the following: (i) rent for the first full month of occupancy; (ii) rent for the
6 last full month of occupancy calculated at the same rate as the first month; (iii) a security deposit
7 equal to the first month's rent provided that such security deposit is deposited as required by
8 subsection (3) of section 15B of chapter 186 and that the tenant is given the statement of
9 condition as required by subsection (2) of section 15B of chapter 186; (iv) the purchase and
10 installation cost for a key and lock; and (v) a brokerage fee in an amount not exceeding one
11 month's rent.

12 Realtors, landlords, residential management companies, or individuals acting on behalf of
13 a property owner, shall not charge, collect, or encourage payment of supplemental fees.
14 Supplemental fees are fees levied against the prospective tenants or current tenants that are not
15 clearly defined by the lease. This includes fees charged to current or prospective tenants for
16 finding a new tenant, when the current or prospective tenant found the new tenant themselves.
17 Further, supplemental fees may be referred to but are not limited to, “processing fees,”
18 “administrative fees”, “transactional fees,” “compliance fees,” and “additional fees” and charges
19 the tenant for: background checks, credit checks, state mandated property inspections,
20 commission payments, cleaning of the residential dwelling, lawn care and landscaping
21 maintenance, pest control, and any personal out of pocket expenses, which should be paid by the
22 property owner.

23 Realtors, landlords, residential management companies, or individuals acting on behalf of
24 a property owner, shall not require the signing of a lease more than 2 months in advance of
25 expiration date of the current lease. Requiring, asking, coercing, or encouraging lease signing,
26 more than 2 months in advance of the current lease expiration date may result in penalty or fines.

27 The board of real estate brokers and salespersons shall promulgate rules, regulations and
28 penalties relative to implementation of this section.