

HOUSE No. 4284

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 providing for rent regulation and control of evictions in mobile home park accommodations in the town of Plainville.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>12/23/2019</i>

HOUSE No. 4284

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 4284) of Shawn Dooley (by vote of the town) relative to rent regulation and the control of evictions in mobile home park accommodations in the town of Plainville. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act providing for rent regulation and control of evictions in mobile home park accommodations in the town of Plainville.

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. The town of Plainville may, by its by-laws, regulate rents for the use or
2 occupancy of mobile home park accommodations in the town, establish a rent board for the
3 purpose of regulating rents, minimum standards for use or occupancy of mobile home park
4 accommodations and eviction of tenants therefrom and may, by its by-laws, require the
5 registration, by owners of mobile home parks under penalty of perjury, of information relating to
6 the mobile home park accommodations. The rent board shall have all powers necessary or
7 convenient to perform its functions, may make rules and regulations, require the registration, by
8 owners of mobile home parks under penalty of perjury, of information relating to the mobile
9 home park accommodations, sue and be sued, compel the attendance of persons and the
10 production of papers and information and issue appropriate orders which shall be binding on
11 both the owner and tenants of such mobile home park accommodations. Violations of any by-law

12 adopted pursuant to this act or any order of the rent board shall be punishable by a fine of not
13 more than \$1,000.

14 SECTION 2. (a) The rent board, established pursuant to section 1, may make individual
15 or general adjustments, either upward or downward, as may be necessary to assure that rents for
16 mobile home park accommodations in the town are established at levels which yield owners a
17 fair net operating income for the accommodations. (b) The following factors, among other
18 relevant factors, which the board may define by regulation, shall be considered in determining
19 whether controlled mobile home park accommodations yield a fair net operating income: (1)
20 increases or decreases in property taxes; (2) unavoidable increases or any decreases in operating
21 and maintenance expenses; (3) capital improvements of the mobile home park as distinguished
22 from ordinary repair, replacement and maintenance; (4) increases or decreases in space, services,
23 equipment or other similar factors; (5) substantial deterioration of the mobile home park other
24 than as a result of ordinary wear and tear; and (6) failure to perform ordinary repair, replacement
25 and maintenance.

26 SECTION 3. Chapter 30A of the General Laws shall apply to the rent board, established
27 pursuant to section 1, as if the rent board were an agency of the commonwealth, including
28 provisions relating to judicial review of an agency order.

29 SECTION 4. (a) The district court shall have original jurisdiction, concurrently with the
30 superior court, of all petitions for review brought pursuant to section 14 of chapter 30A of the
31 General Laws. (b) The superior court shall have original jurisdiction to enforce this act and any
32 by-laws adopted thereunder and may restrain violations thereof.

33 SECTION 5. The Town of Plainville may, by its by-laws, regulate the eviction of tenants.
34 The rent board, established pursuant to section 1, may issue orders which shall be a defense to
35 actions of summary process for possession and such orders shall be reviewable pursuant to
36 sections 3 and 4.

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

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