

HOUSE No. 4959

The Commonwealth of Massachusetts

PRESENTED BY:

James K. Hawkins

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 city of Attleboro.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>3/12/2020</i>

HOUSE No. 4959

By Mr. Hawkins of Attleboro, a petition (subject to Joint Rule 12) of James K. Hawkins (with the approval of the mayor and municipal council) that the city of Attleboro be authorized to regulate rent and evictions in mobile home park accommodations in said city. Housing.

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 city of Attleboro.

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 City of Attleboro may, by its ordinances, regulate rents for the use or
2 occupancy of mobile home park accommodations in the city, 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 ordinances, 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 accommodations.

17 (b) The following factors, among other relevant factors, which the board may define by
18 regulation, shall be considered in determining whether controlled mobile home park
19 accommodations yield a fair net operating income: (1) increases or decreases in property taxes;
20 (2) unavoidable increases or any decreases in operating and maintenance expenses; (3) capital
21 improvements of the mobile home park as distinguished from ordinary repair, replacement and
22 maintenance; (4) increases or decreases in space, services, equipment or other similar factors; (5)
23 substantial deterioration of the mobile home park other than as a result of ordinary wear and tear;
24 and (6) failure to perform ordinary repair, replacement and maintenance.

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

28 SECTION 4. (a) The district court shall have original jurisdiction, concurrently with the
29 superior court, of all petitions for review brought pursuant to section 14 of chapter 30A of the
30 General Laws.

31 (b) The superior court shall have original jurisdiction to enforce this act and any by-laws
32 adopted thereunder and may restrain violations thereof.

33 SECTION 5. The City of Attleboro may, by its ordinances, regulate the eviction of
34 tenants. The rent board, established pursuant to section 1, may issue orders which shall be a
35 defense to actions of summary process for possession and such orders shall be reviewable
36 pursuant to 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 94, of chapter 30 of the General Laws or chapter 3 1 of the General
39 Laws.

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