

HOUSE No. 1397

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

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 heat in condominium units.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/10/2021</i>

HOUSE No. 1397

By Ms. Giannino of Revere, a petition (accompanied by bill, House, No. 1397) of Jessica Ann Giannino relative to heat in condominium units. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1326 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to heat in condominium units.

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

1 Chapter 183A of the General Laws is hereby amended by adding the following section:-

2 Section 24. The association of unit owners of a condominium shall provide heat in every
3 habitable room and every room containing a toilet, shower, or bathtub to at least 68°F between
4 7:00 A.M. and 11:00 P.M. and at least 64°F between 11:01 P.M. and 6:59 A.M. every day other
5 than during the period from May 15th to October 15th, both inclusive, in each year except and to
6 the extent the unit owner is required to provide the fuel pursuant to a written agreement. The
7 temperature shall at no time exceed 78°F during the heating season. The temperature may be
8 read and the requirement shall be met at a height of 5 feet above floor level on a wall any point
9 more than 5 feet from the exterior wall. The number of days per year during which heat must be
10 provided in accordance with this section may be increased or decreased through a variance

11 granted by the board of health in the city or town the building is located; provided, however, that
12 the organization of unit owners of any condominium comprising more than 100 units, in which at
13 least 70 per cent of the condominium is occupied by unit owners, may increase or decrease the
14 number of days per year during which heat must be provided in accordance with this section
15 without approval by the board of health, upon a vote of approval by a majority of unit owners.

16 A variance request made by a majority of unit owners shall be submitted to the board of
17 health for consideration. The board of health may grant such variance requests prior to a formal
18 hearing on an emergency basis, due to actual or predicted weather conditions. No variance or
19 vote to increase or decrease the number of days per year during which heat must be provided by
20 unit owners shall exceed 2 calendar years in duration.