

HOUSE No. 5129

Section 169 contained in the engrossed Bill making appropriations for the fiscal year 2023 (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment X of House, No. 5132). July 28, 2022.

The Commonwealth of Massachusetts

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

An Act relative to no-fault evictions.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to conduct a study on the execution of no-fault evictions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. For the purposes of this section, “no-fault eviction” shall mean a summary
2 process action that results in the termination of a tenancy at will without fault of the tenant
3 pursuant to section 13 of chapter 186 of the General Laws.

4 The department of housing and community development shall conduct a study on the
5 execution of no-fault evictions from January 1, 2019 to July 31, 2022, inclusive. The study shall
6 include, but not be limited to: (i) a count of families and individuals who were evicted through a
7 no-fault eviction; (ii) an inventory of the rental prices of units before and after the execution of a
8 no-fault eviction; (iii) an analysis of families and individuals who were removed from their rental
9 unit pursuant to a no-fault eviction and who received rental assistance through the rental

10 assistance for families in transition program, the emergency rental assistance program or any
11 other rental assistance program, including any correlation between the receipt of rental assistance
12 and the no-fault evictions; (iv) an examination of no-fault evictions that were executed after the
13 foreclosure of a rental property by a third-party or bank and, to the extent feasible, the rental
14 prices prior to and after the foreclosure; (v) to the extent feasible, a demographic breakdown of
15 those evicted through no-fault evictions including, but not limited to, race, ethnicity, age, gender
16 identity and sexual orientation; and (vi) a geographic breakdown of where no-fault evictions
17 were executed.

18 The department of housing and community development shall work in collaboration with
19 relevant interest and advocacy groups to complete the study, which may include, but shall not be
20 limited to the Massachusetts Law Reform Institute, Inc., Homes for All Massachusetts, the
21 Massachusetts Coalition for the Homeless, Inc., Lynn United for Change, City Life/Vida Urbana,
22 Springfield No One Leaves, La Colaborativa, Inc. and the Citizens Housing and Planning
23 Association, Inc. The department shall submit a report of its findings to the chairs of the joint
24 committee on housing and post the report on the department's website not later than January 1,
25 2023. All personally identifiable information shall be redacted from the report.

26 SECTION 2. This act shall take effect on July 1, 2022.