

SENATE No. 884

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 to reduce the financial barriers to renting homes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>3/15/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/6/2022</i>
<i>Lydia Edwards</i>	<i>First Suffolk and Middlesex</i>	<i>1/31/2022</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/31/2022</i>

SENATE No. 884

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 884) of James B. Eldridge, Susan L. Moran and Danilo A. Sena for legislation to reduce the financial barriers to renting homes. Housing.

The Commonwealth of Massachusetts

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

An Act to reduce the financial barriers to renting homes.

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. Section 15B of chapter 186 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out subsection (1)(b) and inserting in place
3 thereof the following subsection:-

4 (b) At or prior to the commencement of any tenancy, no lessor may require a tenant or
5 prospective tenant to pay any amount in excess of the following:

6 (i) rent for the first full month of occupancy; and,

7 (ii) rent for the last full month of occupancy calculated at the same rate as the first month
8 or a security deposit equal to the first month's rent provided that such security deposit is
9 deposited as required by subsection (3) and that the tenant is given the statement of condition as
10 required by subsection (2); and,

11 (iii) the purchase and installation cost for a key and lock.

12 SECTION 2. Said section 15B of chapter 186, as so appearing, is hereby further amended
13 by inserting in subsection (1)(c) after the word “due”, in line 29, the following words:- Such
14 payment, fee, or charge shall not exceed 50 dollars or 5 per cent of the monthly rent, whichever
15 is less.

16 SECTION 3. Said section 15B of chapter 186 is hereby further amended by striking out
17 subsection (1)(d) and inserting in place thereof the following subsection:-

18 (d) No lessor or successor in interest shall at any time subsequent to the commencement
19 of a tenancy demand the lessee to pay in excess of 3 full month’s rent and the purchase and
20 installation cost of a key and lock as determined by subsection (1)(b). The payment in advance
21 for occupancy pursuant to this section shall be binding upon all successors in interest.

22 SECTION 4. Said section 15B of said chapter 186 is hereby further amended by inserting
23 at the end of subsection (1)(e), the following new subsections:-

24 (f) A lessor, or agent thereof, or real estate broker, as defined in section 87PP of chapter
25 112, or agent thereof, shall not charge a tenant or prospective tenant a supplemental fee;
26 provided, however, that a real estate broker, as defined in section 87PP of chapter 112, may
27 charge a lessor a fee or commission for renting a dwelling. For purposes of this subsection,
28 “supplemental fee”, shall mean a fee charging a tenant or prospective tenant for any items,
29 including, but not limited to, commission payments, background checks, credit checks, mandated
30 property inspections, cleaning of the residential dwelling, lawn care and landscaping
31 maintenance, pest control, and personal out-of-pocket expenses. Lessors, real estate brokers, as
32 defined in section 87PP of chapter 112 or other persons in violation of this subsection shall pay
33 damages to the tenant or prospective tenant in the amount of 3 times the amount of the

34 supplemental fee to which the tenant or prospective tenant is entitled, together with court costs
35 and reasonable attorneys fees.

36 (g) Lessors or other persons in violation of subsections(1)(a) through subsections(1)(f)
37 shall pay damages to the tenant or prospective tenant in the amount of 3 times the amount
38 charged in excess of the allowable amount to which the tenant or prospective tenant is entitled,
39 together with court costs and reasonable attorneys fees.