

HOUSE No. 1682

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño and Peter Capano

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 summary process and rental assistance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>1/20/2023</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>1/20/2023</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>3/31/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/11/2023</i>

HOUSE No. 1682

By Representatives Montañó of Boston and Capano of Lynn, a petition (accompanied by bill, House, No. 1682) of Samantha Montañó and Peter Capano relative to summary process and rental assistance. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to summary process and rental assistance.

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. Chapter 239 of the General Laws is hereby amended by adding, after
2 section 14, the following new section:-

3 Section 15. Two-tier process; pending rental assistance

4 (a) All summary process cases shall be handled in a two-tier process. (i) First tier. This
5 event will be for the parties to determine the status of the case, explore the availability of
6 resources, attempt mediation or other opportunity to reach a resolution to the case, and identify
7 next steps in preparing the case for trial. No default or dismissal may enter if a party does not
8 appear at the first tier event. (ii) Second tier. For cases which are not resolved, the Clerk’s Office
9 shall send a written notice to the parties of the trial date.

10 (b) In a summary process action for nonpayment of rent, (i) a court having jurisdiction
11 over summary process actions shall grant a continuance if there is a pending application for
12 rental assistance; (ii) no judgment may enter, nor may any execution issue, in a summary process

13 action for nonpayment of rent if there is a pending application for rental assistance; (iii) the court
14 shall not issue a stay of execution on a judgment for possession if there is a pending application
15 for rental assistance.