

**HOUSE . . . . . No. 3777**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Mike Connolly*

*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 establishing permanent eviction protections and tenancy preservation notices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/19/2023</i>

**HOUSE . . . . . No. 3777**

By Representative Connolly of Cambridge, a petition (accompanied by bill, House, No. 3777) of Mike Connolly relative to establishing permanent eviction protections and tenancy preservation notices. Housing.

**The Commonwealth of Massachusetts**

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

An Act establishing permanent eviction protections and tenancy preservation notices.

*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 31 of chapter 186 of the General Laws, inserted by section 1 of  
2 chapter 107 of the acts of 2022, is hereby amended by adding the following subsection:-

3 (c) A landlord shall send electronically a copy of any notice to quit for nonpayment of  
4 rent given in writing by the landlord to a residential tenant pursuant to section 11 or section 12 to  
5 the executive office of housing and economic development and to the chief executive officer of  
6 the municipality in which the premises is located; provided, however, that personal identifying  
7 information in notices to quit received by the executive office of housing and economic  
8 development and the municipality shall not be a public record, as defined by clause Twenty-sixth  
9 of section 7 of chapter 4 chapter 66. The executive office of housing and economic development  
10 and the chief executive officer of the municipality shall keep any personal identifying  
11 information in a notice to quit confidential; provided, however, that the executive office of  
12 housing and economic development and the chief executive officer of the municipality may

13 share such information with the individuals named in the notice to quit, the landlord or, to the  
14 extent permitted under federal law, a regional administering agency or housing consumer  
15 education center for the purposes of providing housing stability resources to tenants at risk of  
16 eviction.

17 SECTION 2. Chapter 239 of the General Laws is hereby amended by adding the  
18 following section:-

19 Section 15. (a) For the purposes of this section, the following word shall, unless the  
20 context clearly requires otherwise, have the following meaning:

21 “Short-term emergency rental assistance”, temporary financial assistance provided to a  
22 residential tenant to prevent an eviction or homelessness under the residential assistance for  
23 families in transition program, or any other rental assistance program administered by the  
24 executive office of housing and livable communities or another state or federal agency,  
25 municipality or nonprofit entity. Financial assistance to prevent eviction or homeless can include  
26 funds to cure rent arrearage, assist with moving costs, or assist with costs and fees associated  
27 with residential tenancy, including security deposits.

28 (b) Notwithstanding the provisions of this chapter or any other general or special law to  
29 the contrary, a court having jurisdiction over an action for summary process under this chapter,  
30 including the Boston municipal court department, shall grant a continuance for a period as the  
31 court may deem just and reasonable if, either at the time the answer is timely filed or on the date  
32 the trial is scheduled to commence: (i) the tenancy is being terminated solely for non-payment of  
33 rent for a residential dwelling unit; and (ii) the defendant demonstrates, to the satisfaction of the  
34 court, a pending application for short-term emergency rental assistance. The court may consider

35 any meritorious counterclaim brought in said action for summary process; provided, that the  
36 court shall issue a stay of execution on a judgment for possession if the requirements in clauses  
37 (i) and (ii) are met. The court shall not enter a judgment or issue an execution before the  
38 application for short-term emergency rental assistance has been approved or denied.

39 (c) Not later than the 15th day of each month, the executive office of the trial court shall  
40 submit a report for the previous month to the clerks of the house of representatives and the  
41 senate, the house and senate committees on ways and means, the joint committee on housing and  
42 the joint committee on the judiciary that shall include, but not be limited to: (i) the number of  
43 actions for summary process entered and filed with each court having jurisdiction over an action  
44 for summary process; (ii) the number of default judgments entered, delineated by the reason for  
45 the summary process filing; (iii) the number of execution for possession orders granted,  
46 delineated by the reason for the summary process filing; (iv) the number of continuances  
47 requested and granted due to pending applications for short-term emergency rental assistance  
48 pursuant to subsection (b); (v) the number of stays issued due to pending applications for short-  
49 term emergency rental assistance pursuant to subsection (b); (vi) the average length of a  
50 continuance and stay granted under said subsection (b); (vii) the number of stays requested,  
51 granted or denied pursuant to sections 9 and 10; (viii) the number of landlords and tenants  
52 participating in pre-trial mediation and, to the extent practicable, the outcome of each mediation;  
53 (ix) the number of landlords and tenants receiving legal representation and legal services through  
54 on-site court diversion and support resources; and (x) any other relevant information as the trial  
55 court may decide.

56 (d) A court having jurisdiction over an action for summary process under this chapter,  
57 including the Boston municipal court, shall inform the parties of their protections and resources  
58 pursuant to this section.

59 (e) Not later than the 15th day of each month, the executive office of housing and livable  
60 communities shall submit to the house and senate committees on ways and means and the joint  
61 committee on housing a report regarding the activities of its emergency rental assistance  
62 programs from the prior month. The report shall include data about: (a) the expansion of the  
63 residential assistance for families in transition program, including: (i) the number of households  
64 who applied for assistance; (ii) the number of households approved for assistance; (iii) the  
65 number of households denied assistance and reason for such denial; (iv) the minimum, median  
66 and average amount of financial assistance awarded; (v) the average number of days between the  
67 submission of an application and its approval or denial; (vi) the number of landlords who applied  
68 for assistance on behalf of tenants; and (vii) a breakdown of how assistance was utilized by each  
69 household receiving assistance, including, but not limited to, curing rental arrears, moving  
70 expenses, security deposit, first and last month's rent or other purposes; (b) the expansion of the  
71 housing consumer education centers, including: (i) the number of households served, including  
72 number of households served by geographic area; and (ii) the number of special services  
73 coordinators assigned to each site; (c) rapid rehousing assistance through the HomeBase  
74 program, the Strategic Prevention Initiative and any other temporary program established to  
75 assist in rapid rehousing of families and individuals, including: (i) the number of households  
76 receiving assistance; (ii) the type of assistance given; and (iii) the average amount provided to  
77 each household receiving assistance; (d) the expansion of the tenancy preservation program,  
78 including: (i) the number of households served; (ii) the number of trained staff; and (iii) the

79 number of applications filed; and (e) any other relevant information as the executive office may  
80 decide.

81 SECTION 3. The executive office of housing and economic development shall  
82 promulgate regulations as necessary to implement the provisions of this act.