

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Rita A. Mendes

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 prohibit landlords and brokers from requiring broker's commissions to be paid by a tenant or prospective tenant.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Rita A. Mendes</i>	<i>11th Plymouth</i>	<i>1/20/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/7/2023</i>

HOUSE No.

By Representative Mendes of Brockton, a petition (subject to Joint Rule 7B) of Rita A. Mendes and Michelle M. DuBois that the city of Brockton be authorized to prohibit landlords and brokers from requiring broker's commissions to be paid by tenants or prospective tenants. Housing.

The Commonwealth of Massachusetts

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

An Act to prohibit landlords and brokers from requiring broker's commissions to be paid by a tenant or prospective tenant.

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. No licensed real estate broker or other person or entity engaged in the rental
2 or leasing of residential real estate in the City of Brockton as agent of the landowner, landlord,
3 lessor, or sub-lessor shall demand, receive, or retain any payment, fee, commission or other
4 charge from a tenant or prospective tenant for any services on behalf of such landowner,
5 landlord, lessor, or sub-lessor for the listing, showing, qualifying of prospective tenants,
6 preparation and execution of documents, or otherwise arising out of the leasing of a residential
7 rental unit in such city.

8 SECTION 2. No landowner, landlord, lessor, or sub-lessor shall demand or require that a
9 tenant or prospective tenant retain, hire or engage a rental agent or broker and pay such agent or
10 broker a fee or commission as a condition to applying for or leasing a residential rental unit in
11 the City of Brockton, and no such landowner, lessor, or sub-lessor shall demand or require that a
12 tenant or prospective tenant make any payment in violation of SECTION 1 of this act.

13 SECTION 3. Violation of this act shall constitute an unfair or deceptive act or practice in
14 the conduct of a trade or commerce in violation of section 2 (a) of chapter 93A.

15 SECTION 4. The City of Brockton may, by ordinance, establish a fine or penalty for
16 violation of this act, not to exceed \$1,000.00 per violation.

17 This act shall take effect upon passage.