SENATE DOCKET, NO. 1883 FILED ON: 1/20/2023

SENATE . . . . . No. 1048

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda

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:	
Liz Miranda	*Second Suffolk*	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*3/8/2023*
Lydia Edwards	*Third Suffolk*	*3/27/2023*
Mike Connolly	*26th Middlesex*	*3/27/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*7/11/2023*

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By Ms. Miranda, a petition (accompanied by bill, Senate, No. 1048) of Liz Miranda and Joanne M. Comerford for legislation 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.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to Provide housing stability by preventing unnecessary evictions that may be avoided through mutual resolution, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 239 of the General Laws is hereby amended by adding, after section 14, the following new section:-

Section 15. Two-tier process; pending rental assistance

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

(b) In a summary process action for nonpayment of rent, (i) a court having jurisdiction over summary process actions shall grant a continuance if there is a pending application for rental assistance; (ii) no judgment may enter, nor may any execution issue, in a summary process action for nonpayment of rent if there is a pending application for rental assistance; (iii) the court shall not issue a stay of execution on a judgment for possession if there is a pending application for rental assistance.