

SENATE No. 1759

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady

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 charges associated with condominiums in tax title.

PETITION OF:

NAME:

Michael D. Brady

DISTRICT/ADDRESS:

Second Plymouth and Norfolk

SENATE No. 1759

By Mr. Brady, a petition (accompanied by bill, Senate, No. 1759) of Michael D. Brady for legislation relative to benefits received by cities and towns prior to foreclosure of the rights of redemption under a tax title or taking. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1803 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to charges associated with condominiums in tax title.

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 60 of the General Laws is hereby amended by adding the following
2 section:

3 Section 61B. Contributions to Common Expenses of Condominium Associations

4 Whenever a city or town shall have purchased or taken a condominium unit for payment
5 of taxes or other municipal charges due thereon the lien of the city or town shall extend on such
6 unit to reimburse the said city or town for any amounts the said city or town are required by law
7 to pay to a condominium or homeowners’ association for common expense fees, special
8 assessments or other such amounts that would otherwise be owed to the said association by the
9 unit owner. It shall be unnecessary for the city or town to conduct any further proceedings in

10 order to perfect the lien for such amounts to be added to the amount due on the tax title account;
11 and on redemption from such taking or purchase, said amounts paid by the city or town for
12 condominium or homeowners' association for common expense fees, special assessments or
13 other such amounts that would otherwise be owed to the said association by the unit owner shall
14 be paid to the city or town, and the payment shall be made a part of the terms of redemption,
15 together with costs and interest. The treasurer shall certify to the tax title account any such
16 amounts being added to the said tax title account upon payment to the condominium or
17 homeowners' association at which point said amounts become part of the terms of redemption. A
18 city or town which has assigned a tax title held by it shall, after such assignment, have all the
19 rights and powers to take or sell the condominium unit affected thereby for the payment of
20 common expense fees, special assessments or other such amounts that would otherwise be owed
21 to the said association by the unit owner if the city or town is adjudged to be liable for such
22 amounts subsequent to assignment of the tax title. Nothing in this section shall be interpreted to
23 independently create or enforce any liability for common expense fees, special assessments or
24 other such amounts that would otherwise be owed to the said association by the unit owner.

25 SECTION 2. This act shall take effect upon its passage.