

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Patricia D. Jehlen***

*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 enabling cities and towns to stabilize rents and protect tenants.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Patricia D. Jehlen*

*Second Middlesex*

*Adam Gomez*

*Hampden*

**SENATE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1299 OF 2023-2024.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act enabling cities and towns to stabilize rents and protect tenants.

*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 40P of the General Laws, as appearing in the 2022 Official Edition,  
2 is repealed.

3 SECTION 2. The General Laws are hereby amended by inserting after chapter 49A the  
4 following chapter:-

5 CHAPTER 49B

6 LIMITATION OF ANNUAL RENT INCREASES AND NO FAULT EVICTIONS

7 Section 1. A city or town may accept this chapter in its entirety in the manner provided in  
8 section 4 of chapter 4 of the General Laws. The acceptance of this local option by a municipality  
9 shall take effect no later than 180 days after adoption. A municipality that accepts this section

10 shall adopt an ordinance or bylaw which effectuates the provisions of this chapter no later than  
11 180 days after acceptance.

12 Section 2. A city or town accepting this chapter may, by local charter provision,  
13 ordinance, by-law, majority vote of its governing body or through a local binding ballot measure  
14 impose a limit on the size of annual rent increases and require that evictions be based on defined  
15 just cause reasons, for certain dwelling units within the municipality.

16 Section 3. Exemptions. (a) For the purposes of this chapter, covered dwelling units shall  
17 not include:

18 (i) Dwelling units in owner-occupied buildings with four or fewer units.

19 (ii) Dwelling units whose rent is subject to regulation by a public authority. Occupancy  
20 by a tenant with a mobile housing voucher does not exempt an otherwise covered dwelling unit.

21 (iii) College or university dormitories where group sleeping accommodations are  
22 provided in one room, or in a series of closely associated rooms.

23 (iv) Facilities for the residential care of the elderly.

24 (v) Dwelling units for which the first residential certificate of occupancy was issued on or  
25 after January 1, 2021 shall be exempt for a period of 5 years from the date at which such  
26 certificate of occupancy was issued.

27 (b) Where dwelling units are exempt, a notice of exemption must be provided with the  
28 lease for all tenancies. If there is no written lease for such dwelling units, the tenants-at-will must  
29 be provided with a written notice of exemption prior to the acceptance of the initial rent  
30 payment.

31           Section 4. (a) The limit on any annual rent increase for a covered dwelling unit as defined  
32 in Section 3(a) shall not exceed the annual change in the Consumer Price Index for the applicable  
33 area or 5 per cent, whichever is lower.

34           (b) For purposes of this chapter, the rent amount in place 12 months prior to the date of  
35 adoption shall serve as the base rent upon which any annual rent increase shall be applied. If the  
36 dwelling unit is currently vacant, the last rent amount charged shall serve as the base rent. If  
37 there was no previous rent amount, or if no rent has been charged for at least the previous five  
38 years, for a dwelling unit not exempted under Section 3(a) the rent amount the owner first  
39 charges shall serve as the base rent.

40           Section 5. (a) Cities and towns adopting this chapter shall require that any landlord have  
41 just cause for initiating eviction or not renewing a lease; just cause is defined as follows:

42           (i) Nonpayment of rent

43           (ii) Refusal to accept a rent increase permitted under this chapter

44           (iii) Owner seeks to remove the unit from the rental market to convert to cooperative or  
45 condominium, provided that owner demonstrate compliance with G.L. ch. 183A, Chapter 527 of  
46 the Acts of 1983, or locally-enacted ordinance governing conversions to cooperative or  
47 condominiums

48           (iv) Owner seeks to demolish or convert to non-residential use, or to occupy the unit as  
49 the owner's principal residence

50           (v) Tenant commits a substantial violation of a material lease term or material term of the  
51 tenancy

52 (vi) Tenant engages in criminal activity or behavior that threatens the health and safety of  
53 other residents, or persons lawfully on the premises

54 (vii) Tenant creates a public nuisance in the unit

55 (viii) Tenant causes substantial damage to the unit

56 Section 6. Cities and towns adopting this chapter shall provide annual reports to the  
57 executive office of housing and livable communities which shall include but not be limited to:  
58 the text of the ordinance or bylaw adopting this chapter; any studies undertaken in informing  
59 adoption of the ordinance or bylaw; the number of units affected by the ordinance or bylaw; and  
60 any other relevant data as determined by the executive office of housing and livable  
61 communities.

62 Section 7. (a) Any violation of this Chapter shall be deemed an unfair and deceptive act  
63 under chapter 93A of the General Laws. Any person claiming a violation of this section may  
64 pursue remedies under section 9 of chapter 93A. The attorney general is hereby authorized to  
65 bring an action under section 4 of chapter 93A to enforce this provision and to obtain restitution,  
66 civil penalties, injunctive relief, and any other relief awarded pursuant to said chapter 93A; (b) If  
67 a landlord is found to have violated section (4) subsections (a) or (b), the tenant or former tenant,  
68 upon proof of the same, shall be awarded actual damages or three times the rent amount,  
69 whichever is greater, and attorneys' fees; (c) If a landlord initiates summary process proceedings  
70 or otherwise requests that a tenant vacate for a reason not enumerated in section (5), the tenant  
71 shall recover possession and shall be awarded damages in the amount of three times the rent  
72 amount, in addition to any actual damages incurred by the tenant, and attorneys' fees.

73           Section 8. Nothing in this section shall be construed to interfere with any existing rights  
74 or protections afforded to tenants under current state or federal law.