HOUSE DOCKET, NO. 1553 FILED ON: 1/20/2011

HOUSE . . . . . No. 1275

The Commonwealth of Massachusetts

PRESENTED BY:

Paul Adams

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 RENT ESCROWING.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul Adams	*17th Essex*
Steven L. Levy	*4th Middlesex*
Cory Atkins	*14th Middlesex*
Kevin J. Kuros	*8th Worcester*
James J. Lyons, Jr.	*18th Essex*

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HOUSE . . . . . No. 1275

By Mr. Adams of Andover, a petition (accompanied by bill, House, No. 1275) of Paul Adams and others relative to the placement of rent into an escrow account under certain notices by a landlord to vacate. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

AN ACT RELATIVE TO RENT ESCROWING.

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. Section 8A of chapter 239 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting, on line 19, after the semicolon, the words:- "(1) the tenant or occupant deposits with the clerk all rent due prior to final disposition of the plaintiff's action;";

SECTION 2. Section 8A of said chapter 239, is hereby amended by striking out, on line 21, after the word "rent", the word "knew" and inserting in place thereof the words:- "was given written notice".

SECTION 3. Section 8A of said chapter 239, is hereby amended by inserting, on line 18, after the words "under this section" the words:- "when the tenant otherwise applies rent pursuant to section one hundred twenty-seven of chapter one hundred eleven L or".

11 SECTION 4. Section 8A of said chapter 239, is hereby amended by striking out the word
12 "may" throughout fourth paragraph, lines 56 through 77, and inserting in place thereof the word:-
13 "shall".

14 SECTION 4. Section 8A of said chapter 239 is hereby amended by striking out, on line
15 59, the words, "the tenant or occupant claiming under this section to pay to" and inserting in
16 place thereof the words:- "to pay the landlord, from the deposit required by the second
17 paragraph,".

18 SECTION 5. Section 8A of said chapter 239 is hereby amended by striking out, on lines
19 62 through 64, the words: "or to make a deposit with the clerk of such amount or such
20 installments thereof from time to time as the court may direct, for the occupation of the
21 premises.".

22 SECTION 6. Section 8A of said chapter 239 is hereby amended by striking out, on line
23 76, the words: "or for use and occupation".