

HOUSE No. 1381

The Commonwealth of Massachusetts

PRESENTED BY:

Susannah M. Whipps

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 providing for rent regulation and control of evictions in manufactured housing parks in the town of Athol.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/18/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/9/2023</i>

HOUSE No. 1381

By Representative Whipps of Athol, a petition (accompanied by bill, House, No. 1381) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Athol be authorized to regulate rents for the use or occupancy of manufactured housing parks in said town. Housing. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4354 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act providing for rent regulation and control of evictions in manufactured housing parks in the town of Athol.

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. The Town of Athol may, by its ordinances, regulate rents for the use or
2 occupancy of manufactured housing parks in the town, establish a rent board for the purpose of
3 regulating rents, minimum standards for use or occupancy of manufactured housing park
4 accommodations and eviction of tenants therefrom and may, by its ordinances, require the
5 registration, by owners of manufactured housing parks under penalty of perjury, of information
6 relating to the manufactured home park accommodations. The rent board shall have all powers
7 necessary or convenient to perform its functions, may make rules and regulations, require the
8 registration, by owners of manufactured housing parks under penalty of perjury, of information
9 relating to the manufactured housing park accommodations. Violations of any by-law adopted

pursuant to this act or any order of the rent board shall be punishable by a fine of not more than \$1,000.

SECTION 2. (a) The rent board, established pursuant to section 1, may make individual or general adjustments, either upward or downward, as may be necessary to assure that rents for manufactured home park accommodations in the town are established. (b) The following factors, among other relevant factors, which the board may define by regulation, shall be considered in determining whether controlled manufactured home park accommodations yield a fair net operating income: (1) increases or decreases in property taxes; (2) unavoidable increases or any decreases in operating and maintenance expenses; (3) capital improvements of the mobile home park as distinguished from ordinary repair, replacement and maintenance; (4) increases or decreases in space, services, equipment or other similar factors; (5) substantial deterioration of the manufactured home park other than as a result of ordinary wear and tear; and (6) failure to perform ordinary repair, replacement and maintenance.

SECTION 3. Chapter 30A of the General Laws shall apply to the rent board, established pursuant to section 1, as if the rent board were an agency of the commonwealth, including provisions relating to judicial review of an agency order.

SECTION 4. (a) The district court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section 14 of chapter 30A of the General Laws. (b) The superior court shall have original jurisdiction to enforce this act and any by-laws adopted thereunder and may restrain violations thereof.

SECTION 5. The Town of Athol may, by its ordinances, regulate the eviction of tenants. The rent board, established pursuant to section 1, may issue orders which shall be a defense to

32 actions of summary process for possession and such orders shall be reviewable pursuant to
33 sections 3 and 4.

34 SECTION 6. The personnel, if any, of the rent board, established pursuant to section 1,
35 shall not be subject to section 94, of chapter 30 of the General Laws or chapter 3 1 of the General
36 Laws.

37 SECTION 7. This act shall take effect upon its passage.