

**HOUSE . . . . . No. 1126**

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The Commonwealth of Massachusetts

PRESENTED BY:

*James J. O'Day*

*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 to regulate homeowners' associations.

PETITION OF:

NAME:

*James J. O'Day*

DISTRICT/ADDRESS:

*14th Worcester*

**HOUSE . . . . . No. 1126**

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By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 1126) of James J. O'Day relative to regulating homeowners' associations. Housing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3392 OF 2013-2014.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act to regulate homeowners' associations.

*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 59 of the General Laws is hereby amended by inserting after  
2 section 76 the following section:-

3 Section 76A. If a parcel of real property is developed pursuant to a subdivision plan  
4 approved by a city or town and has been omitted from any buildable lot size in such subdivision,  
5 pursuant to any zoning ordinance or by-law of the city or town, such real property shall be  
6 assessed, valued and classified at a value equal to an unimproved, unbuildable lot of real  
7 property.

8 No collector of taxes, constable, sheriff or deputy sheriff, receiving a tax list and warrant  
9 from the assessors shall collect the taxes for such real property until such time as any parcel of  
10 real property has been classified pursuant to this section.

11           SECTION 2. Chapter 184 of the General Laws is hereby amended by adding the  
12 following section:-

13           Section 36. No association of homeowners, either incorporated or unincorporated, shall  
14 require any homeowner whose real property is contained within the geographical area of the  
15 association's jurisdiction to be a member of such association.