

HOUSE No. 01275

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 passage of the accompanying bill:

AN ACT RELATIVE TO RENT ESCROWING.

PETITION OF:

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

HOUSE No. 01275

By Mr. Paul Adams of Andover, petition (accompanied by bill, House, No. 01275) of Cory Atkins and others relative to the placement of rent into an escrow account under certain notices by a landlord to vacate. Joint Committee on 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:

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

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

8 SECTION 3. Section 8A of said chapter 239, is hereby amended by inserting, on line 18, after
9 the words “under this section” the words:- “when the tenant otherwise applies rent pursuant to
10 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 “may”
12 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 59, the
15 words, “the tenant or occupant claiming under this section to pay to” and inserting in place
16 thereof the words:- “to pay the landlord, from the deposit required by the second paragraph,”.

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

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