

HOUSE No. 1371

The Commonwealth of Massachusetts

PRESENTED BY:

Lindsay N. Sabadosa and Joanne M. Comerford

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 prohibit landlords and brokers from requiring broker's commissions to be paid by a tenant or prospective tenant.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/4/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/5/2023</i>

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By Representative Sabadosa of Northampton and Senator Comerford, a joint petition (accompanied by bill, House, No. 1371) of Lindsay N. Sabadosa and Joanne M. Comerford (with the approval of the mayor and city council) that the city of Northampton be authorized to prohibit landlords and brokers from requiring broker's commissions to be paid by tenants or prospective tenants. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act to prohibit landlords and brokers from requiring broker's commissions to be paid by a tenant or prospective tenant.

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. No licensed real estate broker or other person or entity engaged in the rental
2 or leasing of residential real estate in the City of Northampton as agent of the landowner,
3 landlord, lessor, or sub-lessor shall demand, receive, or retain any payment, fee, commission or
4 other charge from a tenant or prospective tenant for any services on behalf of such landowner,
5 landlord, lessor, or sub-lessor for the listing, showing, qualifying of prospective tenants,
6 preparation and execution of documents, or otherwise arising out of the leasing of a residential
7 rental unit in such city.

8 SECTION 2. No landowner, landlord, lessor, or sub-lessor shall demand or require that a
9 tenant or prospective tenant retain, hire or engage a rental agent or broker and pay such agent or
10 broker a fee or commission as a condition to applying for or leasing a residential rental unit in

11 the City of Northampton, and no such landowner, lessor, or sub-lessor shall demand or require
12 that a tenant or prospective tenant make any payment in violation of SECTION 1 of this act.

13 SECTION 3. Violation of this act shall constitute an unfair or deceptive act or practice in
14 the conduct of a trade or commerce in violation of section 2 (a) of chapter 93A.

15 SECTION 4. The City of Northampton may, by ordinance, establish a fine or penalty for
16 violation of this act, not to exceed \$1,000.00 per violation.

17 This act shall take effect upon passage.