

# **HOUSE . . . . . No. 4211**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 8, 2018.

The committee on Revenue to whom were referred the petition (accompanied by bill, Senate, No. 1520) of James B. Eldridge, William N. Brownsberger and Patricia D. Jehlen for legislation to protect the interests of housing cooperative shareholders and the petition (accompanied by bill, House, No. 3334) of Jay D. Livingstone, Marjorie C. Decker and David M. Rogers relative to providing for income tax rental deductions to certain resident shareholders of housing cooperatives, reports recommending that the accompanying bill (House, No. 4211) ought to pass.

For the committee,

JAY R. KAUFMAN.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act protecting the interests of housing cooperative shareholders.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Subsection (a) of Part B of section 3 of chapter 62 of the General Laws, as appearing in  
2 the 2016 Official Edition, is hereby amended by striking out paragraph (9) and inserting in place  
3 thereof the following paragraph:-

4           (9) In the case of an individual who pays rent for his principal place of residence and  
5 such residence is located in the commonwealth, an amount equal to 50 per cent of such rent;  
6 provided, however, that such deduction shall not exceed \$3,000 for a single person, for a person  
7 that qualifies as a head of household under section 2(b) of the Code, or for a married couple. Said  
8 deduction shall be available to resident shareholders of (i) a limited equity cooperative housing  
9 corporation as defined in section 4 of chapter 157B or (ii) a housing cooperative organized under  
10 chapter 156B, chapter 157 or chapter 157B for which the cooperative unit occupied by the  
11 resident shareholder has an affordable housing restriction; provided, however, that such  
12 shareholders have resided in their cooperative unit throughout the tax year and have not claimed  
13 a deduction for real estate taxes or mortgage interest on their federal income tax return; and  
14 provided further, that such shareholders may only claim as rent the dues paid to their housing

- 15 cooperative that are used for housing-related expenses, which may include mortgage payments,
- 16 taxes, utilities, waste disposal, or property maintenance.