

HOUSE No. 4234

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

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 relative to the fair housing ordinance of the city of Cambridge.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>12/20/2023</i>

HOUSE No. 4234

By Representative Decker of Cambridge, a petition (accompanied by bill, House, No. 4234) of Marjorie C. Decker (with the approval of the city council) for legislation to further regulate the fair housing ordinance of the city of Cambridge. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to the fair housing ordinance of the city of Cambridge.

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 14.04.030 of section 1 of chapter 413 of the acts of 1991, as
2 amended by chapter 118 of the acts of 2019, is hereby further amended by inserting after the
3 word “orientation”, each time it appears, the following words:- , relationship status, family
4 structure.

5 SECTION 2. Said section 14.04.030 of said section 1 of said chapter 413, as so amended,
6 is hereby further amended by striking out paragraphs 11 to 20, inclusive, and inserting in place
7 thereof the following paragraphs:-

8 11. The term “family structure” shall mean a single person, or two persons, or a lawful
9 consensual non-monogamous or lawful consensual multi-partner family structure which may
10 include one or more parents, stepparents or legal guardians of a minor child or children and/or

11 two or more consenting adults in a multi-partner and/or multi-parent family structure, including
12 stepparents, multi-generational and/or other non-nuclear families.

13 12. The term “gender identity” shall mean a person's gender-related identity, appearance
14 or behavior, whether or not that gender-related identity, appearance or behavior is different from
15 that traditionally associated with the person's physiology or assigned sex at birth.

16 13. The term “housing set aside for, or limited to, the elderly” shall mean housing

17 a. provided under any state or federal program specifically designed and operated to
18 assist elderly persons; or

19 b. intended for, and solely occupied by, persons 62 years of age or older; or

20 c. intended and operated for occupancy by at least one person fifty-five years of age or
21 older per unit. Housing qualifies as housing for the elderly under this section if and only if

22 i. it has significant facilities and services designed to meet the physical or social needs of
23 elderly persons, or if provision of such facilities and services is not practicable, or that such
24 housing is necessary to provide important housing opportunities for elderly persons; and

25 ii. at least eighty percent of the units are occupied by at least one person fifty-five years
26 of age or older; and

27 iii. there is publication and notice of, and adherence to, policies and procedures which
28 demonstrate an intent by the owner or manager to provide housing for persons fifty-five years of
29 age or older.

30 14. The term “marital status” shall mean the actual or supposed state of being or having
31 been single, married, separated, or divorced.

32 15. The term “military status” shall mean the actual or supposed condition of being, not
33 being, having been or not having been in the service of the military.

34 16. The term “person” includes one or more individuals, partnerships, associations,
35 corporations, labor organizations, legal representatives, mutual companies, joint-stock
36 companies, unincorporated organizations, fiduciaries, trustees, trustees in bankruptcy, receivers,
37 the City of Cambridge, and all political subdivisions, boards, and commissions thereof.

38 17. The term “real estate transaction” shall mean the making or purchasing of loans or
39 providing other financial assistance for purchasing, constructing, improving, repairing or
40 maintaining a dwelling or secured by residential real estate; or the selling, brokering or
41 appraising of residential real property.

42 18. The term “reasonable attorney's fees and costs” shall include the reasonable expenses
43 of expert witnesses, reasonable cost of any study, analysis, engineering report, test, or project
44 which is found by the court to be necessary for the preparation of the party's case, and reasonable
45 attorney fees. The amount of fees and costs awarded shall be based upon prevailing market rates
46 for the kind and quality of services furnished.

47 19. The term “relationship status” shall mean the actual or perceived involvement or lack
48 thereof of an individual in a lawful, intimate personal relationship or relationships including but
49 not limited to interpersonal relationships between two or more consenting adults that involve
50 romantic physical or emotional intimacy.

51 20. The term “religious creed” shall mean the actual or supposed faith, belief, or moral
52 philosophy of an individual or the lack thereof.

53 21. The term “sexual orientation” shall mean the actual or supposed heterosexuality,
54 homosexuality, or bisexuality of an individual.

55 22. The term “source of income” shall mean public assistance reciprocity. "Source of
56 income" shall not include income derived from criminal activity.

57 SECTION 3. Section 14.04.040 of said section 1 of said chapter 413, as so amended, is
58 hereby further amended by inserting after the word “orientation”, each time it appears, the
59 following words:- , relationship status, family structure.

60 SECTION 4. This act shall take effect upon passage.