

HOUSE No. 4405

The Commonwealth of Massachusetts

PRESENTED BY:

Gerard Cassidy

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 regulating manufactured or mobile homes in the city of Brockton.

PETITION OF:

NAME:

Gerard Cassidy

DISTRICT/ADDRESS:

9th Plymouth

HOUSE No. 4405

By Mr. Cassidy of Brockton, a petition (accompanied by bill, House, No. 4405) of Gerard Cassidy (with the approval of the mayor and city council) that the city of Brockton be authorized to create a rent board for manufactured housing in said city. Housing. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3250 OF 2015-2016.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court
(2017-2018)**
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An Act regulating manufactured or mobile homes in the city of Brockton.

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. The city of Brockton may, by ordinance, establish a rent board for the
2 purpose of regulating rents for the use or occupancy of manufactured housing accommodations
3 or of mobile home park accommodations within the city and for regulating units, minimum
4 standards for use or occupancy of manufactured housing communities or mobile home park
5 communities and eviction of tenants therefrom, and may, by such ordinance, require the
6 registration, by owners of such communities under penalty of perjury of information relating to
7 the manufactured housing accommodations or mobile home park accommodations. The rent
8 board shall consist of 3 members, appointed by the mayor, subject to confirmation by the city
9 council. Rents, standards and evictions may be regulated by the rent board so as to remove
10 hardships or correct inequities for both the owners and tenants of manufactured housing

11 communities or mobile home park communities. The rent board shall have all the powers
12 necessary or convenient to perform its functions. The rent board may: make rules and
13 regulations; sue and be sued; compel the attendance of persons and the production of papers and
14 information; and issue appropriate orders which shall be binding on both the owners and tenants
15 of manufactured housing communities or mobile home park communities. Violations of any
16 regulation adopted under this act or any order of the rent board shall be punishable by a fine of
17 not more than \$1,000.

18 SECTION 2. In regulating rents for such communities, the rent board, established under
19 section 1, may make individual or general adjustments, either upward or downward, as may be
20 necessary to assure that rents for such communities within the city are established at levels, that
21 yield owners a fair net operating income that will yield a return, after all reasonable operating
22 expenses, on the fair market value of the property equal to the debt service rate generally
23 available from the institutional first mortgage lenders or such other rates of return as the board,
24 on the basis of evidence presented before it, deems more appropriate to the circumstances of the
25 case. The fair market value of the property shall be the assessed valuation of the property or
26 another valuation as the board, on the basis of evidence presented before it, deems more
27 appropriate to the circumstances of the case. The city of Brockton in its ordinances, or the rent
28 board by regulations, may establish further standards and rules consistent with this act.

29 SECTION 3. Review of the proceedings of the rent control board shall be conducted
30 pursuant to section 4 of chapter 249 of the General Laws.

31 SECTION 4. The housing court shall have jurisdiction to enforce this act and any
32 regulations adopted thereunder and may restrain violations thereof.

33 SECTION 5. The city of Brockton may regulate the eviction of tenants and the rent
34 board, established under section 1, may issue orders which shall be a defense to actions of
35 summary process for possession and the orders shall be reviewable under sections 3 and 4.

36 SECTION 6. The personnel, if any, of the rent board, established under section 1, shall
37 not be subject to section 9A of chapter 30 of the General Laws or chapter 31 of the General Laws.

38 SECTION 7. This act shall take effect upon its passage.