

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT PROHIBITING EVICTIONS AND RENT INCREASES, ETC., IN RETALIATION FOR REPORTING SUSPECTED SANITARY CODE VIOLATIONS.

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

1 Chapter 186 of the General Laws is hereby amended by
2 adding the following new section: —

3 *Section 18:* Any person or agent thereof who threatens to
4 or takes reprisals against any tenant for reporting to the
5 board of health or, in the City of Boston, with the commis-
6 sioner of housing inspection or to any other boards
7 having as its objective regulation of rental premises, existing
8 or suspected violations of any health or building code violation,
9 or violation of any other municipal by-law or ordinance, or
10 state law or regulation which has as its objective the regula-
11 tion of rental premises shall be liable for both remedial and
12 punitive damages measured by an amount equal to three times
13 the amount of one month's rent or three times the damages
14 sustained by the tenant, whichever is greater and the cost of
15 suit, including reasonable attorney's fee.

~~16 It shall be an absolute defense to an action for summary~~
~~17 process that such action was a reprisal for reporting sus-~~
~~18 pected or existing violations of any health or building code,~~
~~19 municipal by law or ordinance, or state law or regulation~~
~~20 which has as its objective the regulation of rental premises.~~

21 The receipt of any notice of ^{termination of tenancy other than for non-payment of rent.} eviction, or of increase in rent
22 or of any substantial alteration in the terms of tenancy within
23 nine months after making a report or complaint of violations
24 or suspected violations of any health or building code, municipi-
25 pal by law or ordinance, or state law or regulation which has
26 as its objective the regulation of rental premises shall create
27 a rebuttable presumption that such notice is a reprisal against
28 the tenant for making such report or complaint.

section: "SECTION 2. Chapter 239 of the General Laws is hereby amended by inserting after section 2 the following section:—*Section 2A.* It shall be a defense to an action for summary process that such action was in reprisal for the act of the tenant in reporting a violation or suspected violation of law, as provided in section eighteen of chapter one hundred and eighty-six. The commencement of such action against a tenant within nine months after the making of such report by said tenant shall create a rebuttable presumption that such action is a reprisal against the tenant for making such report.".]

Omit lines

16-20

Omit

City of Cambridge

Councillor Ackermann

6.

In City Council,

June 9, 1969.

ORDERED:-

That the City Council go on record endorsing the passage of Senate Bill No. 1327 the same being - An Act prohibiting evictions and rent increases etc. in retaliation for reporting sanitary code violations - without any crippling amendments.

City Council. June 9, 1969
Adopted by the affirmative vote
of 9 members
Paul E. Healy
Temp. City Clerk

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6.

ORDER

City Council to go on record endorsing
passage of Senate Bill No.1327 - An Act
prohibiting evictions and rent increases
etc.in retaliation for reporting sanitary
code violations - without any crippling
amendments

June 9, 1969

Mrs. Ackermann

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Copies to all legislators
from Cambridge