

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Sixty-nine

AN ACT PROHIBITING CERTAIN ACTION AGAINST A TENANT IN RETALIATION FOR REPORTING SUSPECTED SANITARY OR BUILDING 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:

SECTION 1. Chapter 186 of the General Laws is hereby amended by adding the following section:-

Section 18. Any person or agent thereof who threatens to or takes reprisals against any tenant of residential premises for reporting to the board of health or, in the city of Boston, to the commissioner of housing inspection or to any other board having as its objective the regulation of residential premises a violation or a suspected violation of any health or building code or of any other municipal by-law or ordinance, or state law or regulation which has as its objective the regulation of residential premises shall be liable for damages which shall not be less than one month's rent or more than three months' rent, or the actual damages sustained by the tenant, whichever is greater, and the costs of the suit, including a reasonable attorney's fee.

The receipt of any notice of termination of tenancy except for nonpayment of rent or of increase in rent or of any substantial alteration in the terms of tenancy within six months after making a report or complaint of violations or suspected violations of any health or building code, municipal by-law or ordinance, or state law or regulation which has as its objective the regulation of residential premises shall create a rebuttable presumption that such notice is a reprisal against the tenant for making such report or complaint.

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 for 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 six months after the making of such report by said tenant shall create rebuttable presumption that such action is a reprisal against the tenant for making such report.

House of Representatives, August 5, 1969.

Passed to be enacted, *Paul Murphy*, Acting Speaker.

In Senate, August 5, 1969.

Passed to be enacted, *Maurice A. Donahue*, President.

August 14, 1969.

Approved,

Francis J. Murphy
Acting Governor.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 876-6800

EXECUTIVE DEPARTMENT

James L. Sullivan
City Manager

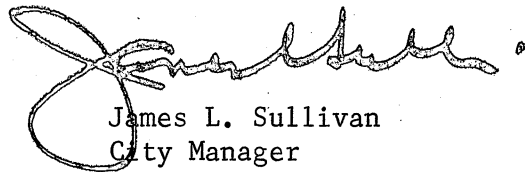
John H. Corcoran
Assistant City Manager

September 8, 1969

To the Honorable, the City Council:

I transmit herewith copy of an Act Prohibiting Certain Action
Against a Tenant in Retaliation for Reporting Suspected Sanitary
or Building Code Violations.

Yours truly,



James L. Sullivan
City Manager

JLS:pv

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COMMUNICATION
from the City Manager trans-
~~mitting one from~~

copy of An Act prohibiting certain action
against a tenant in retaliation for re-
porting suspected sanitary or building
code violations

September 8, 1969

Placed on File -