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THE COMMONWEALTH OF MASSACHUSETTS
1985 OCT 28 AM 11:28

In the Year One Thousand Nine Hundred and Eighty-five
CAMBRIDGE, MA.

AN ACT FURTHER REGULATING THE RENT CONTROL AND EVICTIONS IN 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:*

SECTION 1. Section 5 of chapter 36 of the acts of 1976 is hereby amended
by adding the following paragraph:-

(f) The provisions relating to adjudicatory proceedings in chapter
thirty A of the General Laws, except for section nine and the provisions of
paragraph (1) of the third paragraph of section fourteen which relates to the
court in which judicial review may be sought, shall be applicable to the adju-
dicatory hearings held by the board.

SECTION 2. Section 8 of said chapter 36 is hereby amended by striking out
paragraph (d).

SECTION 3. Said chapter 36 is hereby further amended by striking out
section 10 and inserting in place thereof the following section:-

Section 10. (a) Any person who is aggrieved by any action, regulation or
order of the board may file a complaint for judicial review against the board
either in the third eastern Middlesex division of the district court depart-
ment or the superior court department for Middlesex county. If the complaint
is filed in the third eastern Middlesex division of the district court depart-
ment, said court shall be authorized to take such action with respect thereto
as is provided in the case of the superior court under the provisions of chap-
ter two hundred and thirty-one A of the General Laws, except that section
three of said chapter two hundred and thirty-one A shall not apply. Judicial
review of adjudicatory decisions shall be conducted in accordance with section
fourteen of chapter thirty A of the General Laws. Judicial review of regula-
tions shall be in accordance with section seven of said chapter thirty A.

(b) The third eastern Middlesex division of the district court department
and the superior court department for Middlesex county shall have concurrent
original jurisdiction over actions arising out of the provisions of section

eleven. Notwithstanding any other provision of law relating to appeals, appeal from the judgment of whichever court enters the judgment either under the provisions of section ten or eleven shall be to the appeals court.

SECTION 4. Section 11 of said chapter 36 is hereby further amended by adding the following paragraph:-

(d) The board may elect to enforce the provisions of this or any rule or regulation promulgated hereunder either in a civil action for damages for declaratory or injunctive relief or under the provisions of section twelve.

House of Representatives, October 3, 1985.

Passed to be enacted, *George Kerneran*, Speaker.

In Senate, October 7, 1985.

Passed to be enacted, *Walter J. Baer*, Acting President.

October 15, 1985.

Approved,

Robert J. M. ...
Governor.

S-299

Comm. from Paul E. Healy, City Clerk, transmitting for informational purposes a copy of Chapter 399 of the Acts of 1985 entitled "AN ACT FURTHER REGULATING THE RENT CONTROL AND EVICTION IN THE CITY OF CAMBRIDGE".

*copy sent to the City Manager, City Solicitor, &
Roger Morris, Exec. Dir., Rent Control Board 10/30/85 mh*

In City Council,

October 28, 1985

10/28/85

*Referred to Comgr
City Sol
REB*

*Original placed
on File*