

# HOUSE . . . . . No. 1293

By Representative Walsh of Boston and Senator Menard, joint petition of Martin J. Walsh and Joan M. Menard relative to abolishing rent control for mobile home parks. Housing.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT PROVIDING FOR THE PROMOTION OF AFFORDABLE HOUSING THROUGH THE PROMOTION OF MANUFACTURED HOUSING IN THE COMMONWEALTH.

*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. Notwithstanding any provision in the laws and regu-  
2 lations of the Commonwealth to the contrary, rent control in the  
3 Commonwealth shall not be extended to any communities which  
4 have not enacted such laws.

5 (a.) For those cities and towns that do have rent control, the provi-  
6 sions thereof shall be amended as follows:—

7 (i.) From the date of enactment of this Act, rent control shall only  
8 apply to those individuals who can demonstrate by credible evidence  
9 provided to that city or town that such individual is not able to pay  
10 rent established by the owner/operator of the Manufactured Housing  
11 Community, giving effect to that individual’s entire net worth; in the  
12 event that such individual demonstrates such inability to pay, then  
13 the rent then in effect shall continue at that amount for a period of  
14 twelve (12) months, after which such individual must re-establish  
15 her/his/their inability to pay market rents. The provision for rent sta-  
16 bilization for such individuals shall phase out over a period of three  
17 (3) years from the date of enactment of this bill;

18 (ii.) Such individuals must submit their verified financial informa-  
19 tion to officials of the town/city in which they live in order to qualify  
20 for such rent protection, and if they cannot so qualify, then such  
21 individuals are subject to eviction for failing to pay the then going  
22 rent rates in such community; provided, further that the financial test  
23 applied for such rent protection for any such individual(s) shall be

24 the same standard as applied in that particular community for subsi-  
25 dized housing by its council of aging with that person's net worth  
26 added to the calculation as provided above; and

27 (iii.) Rent control in the Commonwealth for Manufactured  
28 Housing shall cease and be of no further force or effect on the third  
29 anniversary of the enactment of this bill.

30 (c.)(b.) Residents in privately owned manufactured housing com-  
31 munities shall be entitled to seek government grants and/or low cost  
32 loans (like those individuals who reside in resident-owned manufac-  
33 tured housing communities) to defray the cost of capital improve-  
34 ments that are passed onto them by the owner/operator in all  
35 non-rent control manufactured housing communities.

1 SECTION 2. For any Manufactured Housing Community in exis-  
2 tence prior to January 1, 2006, for purposes of calculating design  
3 flows under 310 CMR 16.00 et seq. and 3.24 CMR 5.00, each septic  
4 system which has been installed shall be considered a separate and  
5 distinct facility.

1 SECTION 3. For the safety and welfare of residents in Manufac-  
2 tured Housing Communities in the Commonwealth, each resident  
3 shall receive a tax credit up to the sum of \$1,500 in order to remove  
4 oil tank(s) owned by them that are above ground and need replace-  
5 ment due to the health and safety of said residency; such replace-  
6 ment must be according to Massachusetts guidelines.

1 SECTION 4. In order to assist with assuring that all residents  
2 residing in Manufactured Housing are treated equally, water sub-  
3 metering may be required by the owner/operator of any Manufac-  
4 tured Housing Community in the Commonwealth; in the event that  
5 such owner/operator elects to do this, each and every resident shall  
6 be required to share equally in any and all costs associated with such  
7 sub-metering and provided, further, that notwithstanding that this is  
8 a capital cost, this cost may be recouped by the owner/operator at the  
9 time of installation of the sub-metering and shall not collected as  
10 though it were a capital cost.

1 SECTION 5. In connection with selling a manufactured home in a  
2 Manufactured Housing Community, it is the best interest of all

3 parties that the prospective purchaser undergoes a financial/criminal  
4 background search; and in connection therewith, the applicant for  
5 residency for that Manufactured Housing Community shall be  
6 responsible for reimbursing the owner/operator of that Manufactured  
7 Housing Community the actual cost of acquiring that information.