

HOUSE No. 5062

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 providing for an extension of the COVID-19 eviction and foreclosure moratorium.

PETITION OF:

NAME:

Mike Connolly

DISTRICT/ADDRESS:

26th Middlesex

HOUSE No. 5062

By Mr. Connolly of Cambridge, a petition (subject to Joint Rule 12) of Mike Connolly relative to providing for an extension of the COVID-19 eviction and foreclosure moratorium. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for an extension of the COVID-19 eviction and foreclosure moratorium.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith an extension of the COVID-19 eviction and foreclosure moratorium, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

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

1 PURPOSE. The purpose of this act is to extend the Commonwealth’s eviction and
2 foreclosure moratorium law pending further legislative action on H.5018, An Act to guarantee
3 housing stability during the COVID-19 emergency and recovery (“the COVID-19 Housing
4 Stability Act”) and to allow for certain components of the Governor’s so-called “Eviction
5 Diversion Initiative” to become fully operational, such as legal representation, community
6 mediation, and public education relative to the rights and resources available to tenants,
7 homeowners, and landlords.

8 GENERAL COURT FINDINGS. The general court hereby finds and declares that the
9 COVID-19 public health emergency has been worsening over the past several months, with the
10 Department of Public Health reporting on October 14, 2020 that the statewide rate of average

11 daily cases was 8.7 per 100,000 residents in the last two weeks, meaning the Commonwealth as a
12 whole is now considered to be “high risk” for spread of COVID-19, a deadly and highly
13 contagious disease. It was also reported on October 14, 2020 that the Chief Justice of the Trial
14 Court sees the potential for up to 200,000 evictions once this act is allowed to expire. Public
15 health experts have warned that the expiration of this act at this time, and the numerous formal
16 and informal evictions that will result, will likely lead to significant additional spread of disease
17 and death, particularly for working class residents, undocumented immigrants, and People of
18 Color.

19 Chapter 65 of the acts of 2020 is hereby amended by striking out sections 6 and 7 and
20 inserting in place thereof the following 3 sections:

21 SECTION 6. Sections 3 and section 4 shall expire on January 1, 2021 or 45 days after the
22 COVID-19 emergency declaration has been lifted, whichever is sooner; provided, however, that
23 the governor may postpone such expiration in increments of not more than 90 days; provided
24 further, that the governor shall not postpone such expiration to later than 45 days after the
25 COVID-19 emergency declaration has been lifted; and provided further, that any deadline or
26 time period for action that is tolled under subsection (c) of said section 3 shall begin to run upon
27 the expiration of said section 3.

28 SECTION 7. Subsection (a) of section 5 shall expire on January 1, 2021 or 45 days after
29 the COVID-19 emergency declaration has been lifted, whichever is sooner; provided, however,
30 that the governor may postpone such expiration in increments of not more than 90 days;
31 provided further, that the governor shall not postpone such expiration to later than 45 days after
32 the COVID-19 emergency declaration has been lifted.

SECTION 7A. Sections 6 and 7 shall take effect on October 17, 2020.