

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

BILL FILING TEMPLATE

Be It Enacted, by the Senate and House of Representatives, etc., as follows:

SECTION 1. Section 22 of Chapter 140 of the General Laws, as appearing in the 2004 official edition, is hereby amended by deleting the language following the words, “thirty-one, inclusive” and inserting in place the following:-

“shall mean (a) a dwelling containing five or more single room occupancy dwelling units let on an individual basis without kitchen facilities within the individual dwelling units, except as provided by other sections of this chapter, as amended; or (b). a dwelling where lodgings are let to five (5) or more persons, who are not family and who are not living together as a single housekeeping unit, both as defined by this section; or (c) a dwelling where lodgings are let by the person conducting it, a family or a single housekeeping unit, as defined by this section and four (4) or more additional persons not related by blood, marriage or adoption and also not living together as a single housekeeping unit, as defined by this section.

A dwelling or a dwelling unit meeting any of the definitions set forth above in this section, with or without access to common kitchen facilities in the common area of the dwelling or the dwelling unit shall be a lodging house for the purpose of this section.

A “family” for the purpose of this section shall mean two or more persons related by blood, marriage or adoption.

A “single housekeeping” unit for the purposes of this section shall mean two or more persons, not so related, but living together as a single housekeeping unit. Persons shall be living as a single housekeeping unit when all members of the housekeeping unit are parties to a common lease or rental agreement that also provides for a period of tenancy common to all members, a common right to use and enjoy the entire dwelling or dwelling unit, despite informal arrangements among members to designate certain areas as individualized sleeping spaces; a single periodic rent payment to the owner or owner’s agent. Additionally, members sharing household living arrangements, including but not limited to, utility payments, groceries and common sanitary, living and cooking supplies and or facilities shall also be an indication that a dwelling or dwelling unit is being occupied as a “single housekeeping unit.”

A “family” and “single housekeeping unit” shall be considered a “person” for the purposes of G.L. c. 140 s. 22 provided that the number of individuals does not exceed the minimum square footage requirements established by provisions of the Massachusetts state sanitary code or any requirements for residential units set forth in the Massachusetts state building code or applicable zoning ordinances or regulations.

A house where lodgings are let to four or more persons not within the second degree of kindred to the person conducting it shall only include fraternity houses and dormitories of educational institutions, but shall not include, nor shall the above definitions provided in this section be meant to include dormitories of charitable or philanthropic institutions or convalescent homes licensed under section seventy-one of chapter one hundred and

eleven or rest homes so licensed or group residences licensed or regulated by agencies of the commonwealth.”