HOUSE DOCKET, NO. 750 FILED ON: 1/19/2011

HOUSE . . . . . No. 360

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Cantwell

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 passage of the accompanying:

An Act relative to accessory apartments..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Cantwell	*4th Plymouth*

HOUSE DOCKET, NO. 750 FILED ON: 1/19/2011

HOUSE . . . . . No. 360

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 360) of James M. Cantwell relative to accessory apartments. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1194* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to accessory apartments..

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. Notwithstanding any general or special law, or regulation to the contrary, a municipality that adopts a zoning ordinance or by-law to allow the construction of accessory apartments shall be permitted to count accessory apartment units toward that municipality's subsidized housing inventory so long as the occupant meets the income-eligibility standards determined by the federal Department of Housing and Urban Development; and provided further that evidence of income verification is provided to the department of housing and community development upon issuance of a building permit for the accessory apartment and annually thereafter; and provided further that said accessory apartments shall not be required to be subject to the provisions of the affirmative marketing plan, including the prohibition against renting to family members and relatives; and provided further that accessory apartments shall not be subject to deed restrictions.

For the purposes of this section, an accessory apartment shall be defined as an additional, separate, but connected dwelling unit, which contains facilities for living, sleeping, eating, cooking, and sanitation, that has been constructed onto an owner-occupied single-family home.