

Offered by Council President Stephen J. Murphy and Councilor Bill Linehan



CITY OF BOSTON IN CITY COUNCIL

HOME RULE PETITION

WHEREAS, The City of Boston values transparency in access to residential housing;
THEREFORE BE IT

ORDERED, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE: ELIGIBILITY FOR COOPERATIVE HOUSING CORPORATIONS

- Section 1.* For the purposes of this Act, a “community of interest” shall be defined as any “cooperative corporation,” as defined within Section 4 of chapter 157B of the General Laws, which is organized for the purpose of providing or furnishing residential housing for a communal purpose, or corporation organized as a cooperative under the general laws for the purpose of providing or furnishing residential housing for a communal purpose.
- Section 2.* Each and every community of interest located within the City of Boston shall maintain a statement of communal purpose in sufficient detail so that a reasonable person may understand such purpose. The statement of communal purpose shall be included in the original articles of organization of such corporation or added to the articles of such corporation by amendment approved by 60 percent of the stockholders.
- Section 3.* Any cooperative corporation, as defined within Section 4 of chapter 175B of the General Laws, which is located within the City of Boston may set standards for eligibility to become a stockholder of the corporation as set forth in subsection (g) of section 10 of chapter 157B, provided that such standards must reasonably relate to: (1) the capacity to satisfy the stockholder’s financial and maintenance obligations with respect to the property; (2) the creation of the housing cooperative as a community of interest, provided however, that a detailed

statement of the communal purpose and eligibility standards of the community of interest shall be contained within the articles of organization of the corporation; and/or (3) standards as a provider of affordable housing. Such standards for eligibility shall not be discriminatory under law.

Section 5. Denial of a party seeking to become a stockholder in a cooperative corporation as defined within Section 4 of chapter 157B, which is located within the City of Boston shall be in writing, and denial shall include the grounds for denial and specify which eligibility standards the stockholder applicant failed to meet. This act shall govern cooperative housing arrangements formed under chapter 157B or otherwise.

Section 6. Within 90 days of the effective date of this act, the state secretary shall publish general notification and send written notice to each cooperative corporation located within the City of Boston, which is organized under chapters 156D or 157B of the requirement for it to file, as applicable, articles of organization that contain the information required in this act.

Filed in City Council: April 24, 2013