

SENATE No. 00092

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 bill:

An Act relative to the guaranty fund for home improvement contractors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>

SENATE No. 00092

By Ms. Creem, petition (accompanied by bill, Senate, No. 92) of Creem for legislation relative to the guaranty fund for home improvement contractors [Joint Committee on Consumer Protection and Professional Licensure].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 128 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the guaranty fund for home improvement contractors.

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. Section 1 of Chapter 142A of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by striking out lines 9-13 inclusive and inserting in place
3 thereof the following -

4 “Claimant” an owner and resident of a residential building, containing at least one but
5 not more than four dwelling units, who has entered into a construction contract with a contractor
6 to carry out construction work on said building, or, an owner and resident of a single
7 condominium unit in a residential building, who has entered into a construction contract with a
8 contractor to carry out construction work on an area of said building under that owner's exclusive

9 control, and who is making a claim against said contractor for failure of performance under said
10 contract.

11 SECTION 2. This act shall be effective retroactively to January 1, 2006 for any
12 condominium owner and resident who was not previously qualified to apply for relief from the
13 Guaranty Fund for Home Improvement Contractors. Any claim which would otherwise be
14 foreclosed under the provisions of section 7 of this chapter shall be considered timely filed with
15 regard to said section 7 if filed by an owner and resident of a single condominium unit in a
16 residential building within six months of the enactment of this act.