

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ROCKLAND RENT CONTROL BOARD

IN MATTER OF RENT ADJUSTMENT PETITIONS	)
AND CERTIFICATES OF EVICTION FOR MHC	)
HILLCREST-MA LLC, AND	)
HOMETOWN AMERICA MANAGEMENT, LLC	)
	)
PETITIONERS	)
	)

**APPLICATIONS FOR RENT INCREASES BY HOMETOWN AMERICA
MANAGEMENT, L.L.C. AND MHC HILLCREST AND REQUESTS FOR
CERTIFICATES OF EVICTION BY HOMETOWN AMERICA MANAGEMENT, LLC**

DECISION & ORDER

I. Public Hearing

Pursuant to the Town of Rockland’s Mobile Home Park Rent and Eviction Control Bylaw (Chapter 288 of the Town Bylaws) and the Rules and Regulations for Manufactured Housing Community Accommodations, Rents and Evictions, promulgated by the Rockland Rent Control Board (hereinafter “the Board”), and to G.L. c. 30A, the Board held a public hearing (the “Hearing” to review and to act upon annual rent adjustment petition filed by Hometown America Management LLC (hereinafter “Hometown”), the authorized agent for Leisurewoods Land LLC of and the owner of Live Oaks Village, for rent adjustments of Hometown’s legal maximum rents for the period of July 1, 2024, through June 30, 2025 for residences within Live Oaks Village. The Hearing also addressed a concurrent request submitted by MHC Hillcrest-MA LLC (hereinafter “Hillcrest”) for rent adjustments of Hillcrest’s legal maximum rents for the period of July 1, 2024, through June 30, 2025. The Hearing was also conducted to allow the Board the opportunity to discuss and vote upon multiple Requests for Certificates of Eviction submitted by Hillcrest.

The Hearing was held via zoom on June 11, 2024, to allow interested parties the opportunity to present evidence, including testimony and documents, with regard to Hometown’s and Hillcrest’s rent adjustment petitions and Hillcrest’s Requests for Certificates of Eviction. The Hearing and all procedures related thereto were conducted in compliance with G.L. c. 30A, the State Administrative Procedures Act. Written notice of the public hearing was published in the appropriate newspapers, delivered to Hometown and Hillcrest representatives/counsel, and was also posted at the Town Clerk’s office.

Present at the June 11, 2024, virtual public hearing were the following members of the Board:¹

- Patricia Dennehy
- Janet Russell
- Deborah Joyce
- Karen Ripley

Hometown and Hillcrest were represented by Attorney Mark R. Lavery, of Braintree, Massachusetts at the Hearing.

On or about May 11, 2024, Hometown submitted a Rent Increase Petition, along with supporting documentation as required by the Town of Rockland Rent Control Rules and Regulations and the Town of Rockland Rent Control Ordinance. In its rent adjustment petition, Hometown requested the following increase:

Beginning effective July 1, 2024, a rent increase of 2.4% per space per month.

Hometown presented evidence and representations that requirements for a rental increase under the provisions of the above-described Bylaw and Rules and Regulations, have been met with respect to each of the rental increases requested by Hometown in its application (the “Rental Increase Conditions”), namely, that upon and information and belief: (1) the requested rental increases did not exceed the CPI increases for the applicable periods, (2) that within sixty days prior to the filing of each petition there was not an unresolved order or judgment of a court relating to a substantial deterioration or failure to perform ordinary repair, replacement and maintenance at the community, and (3) that during the same sixty day period, there was not a finding by a board, commission or other agency of a material violation of a State Sanitary Code, municipal Board of Health Regulation, or any other applicable code, by-law, regulation or state law regulating the conditions of housing accommodations.

On or about May 23, 2024, Hillcrest submitted a Rent Increase Petition, along with supporting documentation as required by the Town of Rockland Rent Control Rules and Regulations and the Town of Rockland Rent Control Ordinance. In its rent adjustment petition, Hometown requested the following increase:

Beginning effective July 1, 2024, a rent increase of 2.4% per space per month.

Hillcrest presented evidence and representations that requirements for a rental increase under the provisions of the above-described Bylaw and Rules and Regulations, have been met with respect to each of the rental increases requested by Hillcrest in its application (the “Rental Increase Conditions”), namely, that upon and information and belief: (1) the requested rental increases did not exceed the CPI increases for the applicable periods, (2) that within sixty days prior to the filing

¹ Board Members Eileen Cina and Carolann Primavera attended the hearing and voted in the affirmative for all presented petitions. After the hearing, however, it was determined that the appointments of Ms. Cina and Ms. Primavera had expired on June 3, 2024. Their votes, therefore, have not been included in the Board’s final Decision, nor are they presently counted as board members for the June 11, 2024 hearing.

of each petition there was not an unresolved order or judgment of a court relating to a substantial deterioration or failure to perform ordinary repair, replacement and maintenance at the community, and (3) that during the same sixty day period, there was not a finding by a board, commission or other agency of a material violation of a State Sanitary Code, municipal Board of Health Regulation, or any other applicable code, by-law, regulation or state law regulating the conditions of housing accommodations.

Hillcrest also submitted multiple Applications for Certificates of Eviction for different properties due to outstanding rent, along with supporting documentation as required by the Town of Rockland Rent Control Rules and Regulations and the Town of Rockland Rent Control Ordinance. Some of those Applications, however, were withdrawn by Hillcrest at the onset of the hearing, but Hillcrest sought approval for the applications filed for the following properties:

1. 34 Crestview Street, Rockland, MA 02370
2. 6 Alpine Street, Rockland, MA 02370

Residents impacted by the Requests for Certificates of Eviction were sent copies of the Hearing Agenda and Request materials and provided an opportunity to discuss and present any additional information or materials that they deemed relevant and material. None of the residents presented testimony or evidence to refute the amounts of moneys owed in rent as alleged by Hillcrest.

II. Votes

- A. At the public hearing on June 11, 2024, the Board found that the applicable Rental Increase Conditions had been met and voted unanimously to APPROVE Hometown's petition for a rental increase of 2.4% effective July 1, 2024.
- B. At the public hearing on June 11, 2024, the Board found that the applicable Rental Increase Conditions had been met and voted unanimously to APPROVE Hillcrest's petition for a rental increase of 2.4% effective July 1, 2024.
- C. At the public hearing on June 11, 2024, the Board voted unanimously to APPROVE Hillcrest's Request for a Certificate of Eviction for 34 Crestview Street, Rockland, MA 02370.
- D. At the public hearing on June 11, 2024, the Board voted unanimously to APPROVE Hillcrest's Request for a Certificate of Eviction for 6 Alpine Steet, Rockland, MA 02370.

III. Judicial Review

Any party aggrieved by this Decision may seek judicial review of the decision in the (a) Hingham Division of the District Court Department, (b) the Superior Court or (c) the Southeast Division of the Housing Court, provided that any such action is commenced within thirty (30) days of the party's receipt of this decision.

Signed,
The Rockland Rent Control Board

/s/ Patricia Dennehy
Patricia Dennehy

Dated: July 12, 2024

/s/ Karen Ripley
Karen Ripley

Dated: July 12, 2024

/s/ Janet Russell
Janet Russell

Dated: July 12, 2024

/s/ Deborah Joyce
Deborah Joyce

Dated: July 12, 2024