

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ROCKLAND RENT CONTROL BOARD

IN MATTER OF RENT ADJUSTMENT PETITIONS AND)
CERTIFICATES OF EVICTION FOR MHC HILLCREST,)
C/O EQUITY LIFESTYLE PROPERTIES, INC., AND)
HOMETOWN AMERICA MANAGEMENT, L.L.C. FOR)
LIVE OAKS VILLAGE)
)
PETITIONERS)
)
)
)

**APPLICATIONS FOR RENT INCREASES BY HOMETOWN AMERICA
MANAGEMENT L.L.C. AND MHC HILLCREST, LLC C/O EQUITY LIFESTYLE
AND REQUEST FOR A CERTIFICATE OF EVICTION FOR MHC HILLCREST, LLC
C/O EQUITY LIFESTYLE**

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 with the Board of Hometown America Management L.L.C. (hereinafter “Hometown”), the authorized agent on behalf of Leisurewoods Land, L.L.C., the owner of Live Oaks Village, for rent adjustments of Live Oaks Village residents’ legal maximum rents effective beginning July 1, 2023. The Hearing was also conducted to allow the Board the opportunity to discuss and vote upon an outstanding Request for a Certificate of Eviction submitted by MHC Hillcrest, LLC c/o Equity Lifestyle Properties, Inc. (hereinafter “Hillcrest”) and an annual rent adjustment petition filed with the Board by Hillcrest for an increase of the legal maximum rents for Hillcrest residents effective beginning July 1, 2023.

The Hearing was held via zoom on December 21, 2023, to allow interested parties the opportunity to present evidence, including testimony and documents, with regard to the Hometown and Hillcrest rent adjustment petitions and Hillcrest’s Requests for a Certificate of Eviction. Multiple local residents and interested parties presented testimony at the Hearing. 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 Leisurewoods and Hillcrest representatives/counsel, and was also posted at the Town Clerk’s office.

Present at the December 21, 2023, public hearing were the following members of the Board:

- Susan Sullivan
- Patricia Dennehy
- Carolann Primavera
- Karen Ripley
- Deborah Joyce

Board member Eileen Cina was not in attendance at the Hearing. Hometown was represented by Attorney John Rattigan of Boston, Massachusetts. Hillcrest was represented by Attorney Mark R. Laverty, of Braintree, Massachusetts at the Hearing.

On or about November 30, 2023, 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, in part, the following increase for the residents of Live Oaks Village:

Beginning effective July 1, 2023, a rent increase of 7% per space per month.

On or about November 1, 2023, 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, in part, the following increase:

Beginning effective July 1, 2023, a rent increase of 7% per space per month.

Hometown and 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 Hometown in its applications (the "Rental Increase Conditions"), namely: (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.

Hillcrest also submitted a Request for a Certificate of Eviction for the resident(s) of 36 Crestview Street, Rockland, MA 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.

Resident(s) impacted by the Request for a Certificate 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 December 21, 2023, board member Deborah Joyce abstained from voting on Hometown’s rent increase petition. The four (4) remaining present board members found that the applicable Rental Increase Conditions have been met and voted unanimously to APPROVE Hometown’s petition for a rental increase for the residents of Live Oaks Village of 7% effective July 1, 2023.
- B. At the public hearing on December 21, 2023, the Board found that the applicable Rental Increase Conditions have been met and voted unanimously to APPROVE Hillcrest’s petition for a rental increase of 7% effective July 1, 2023.
- C. At the public hearing on December 21, 2023, the Board voted unanimously to APPROVE Hillcrest’s Request for a Certificate of Eviction for 36 Crestview Street, 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/ Susan Sullivan Dated: January 5, 2024
Susan Sullivan

/s/ Patricia Dennehy Dated: January 5, 2024
Patricia Dennehy

/s/ Carolann Primavera Dated: January 5, 2024
Carolann Primavera

/s/ Karen Ripley Dated: January 5, 2024
Karen Ripley

/s/ Deborah Joyce Dated: January 5, 2024
Deborah Joyce