

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.	)	
	)	
PETITIONERS	)	
	)	

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

REVISED DECISION & ORDER¹

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 petitions filed with the Board of Hometown America Management L.L.C. (hereinafter “Hometown”), the authorized agent on behalf of Hometown Leisurewoods, L.L.C., the owner of Leisurewoods-Rockland (hereinafter “Leisurewoods”), for rent adjustments of Leisurewoods’ legal maximum rents for the period of February 1, 2022 through January 31, 2023 and for the period of February 1, 2023 through January 31, 2024. The Hearing was also conducted to allow the Board the opportunity to discuss and vote upon multiple Requests for Certificates of Eviction submitted by MHC Hillcrest, LLC c/o Equity Lifestyle Properties, Inc. (hereinafter “Hillcrest”).

The Hearing was held via zoom on November 9, 2023, to allow interested parties the opportunity to present evidence, including testimony and documents, with regard to the Hometown rent adjustment petitions and Hillcrest’s Requests for Certificates 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

¹ This Decision and Order is a supplement to the Decision and Order initially issued by the Board on November 16, 2023. This revised draft has been issued to correct minor typographical error(s) and expand upon the context of the November 9, 2023 hearing.

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 November 9, 2023, public hearing were the following members of the Board:

- Susan Sullivan
- Patricia Dennehy
- Eileen Cina
- Carolann Primavera
- Karen Ripley

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 December 10, 2021, 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.² In its rent adjustment petition, Hometown requested, in part, the following increase:

Beginning effective February 1, 2022, a rent increase of 5.3% per space per month.

Thereafter, on or about February 28, 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:

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

Hometown presented evidence and representations, and Town Counsel David Kouroyen confirmed for the board, 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, 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.

² The Board initially voted to reject this petition on March 23, 2022. Upon subsequent appeal to the Plymouth County Superior Court, a Decision was issued by the Court on or about June 29, 2023, vacating the Board's rejection of Hometown's Petition and ordering that the Board reconvene to vote upon and approve Hometown's Petition.

Hillcrest also submitted a series of Requests of Eviction for the residents of the following 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:

1. 67 Fairview Street, Rockland, MA 02370
2. 26 Balsam 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 November 9, 2023, the Board found that the applicable Rental Increase Conditions have been met, and voted unanimously to APPROVE Hometown's petition for a rental increase of 5.3% effective February 1, 2022.
- B. At the public hearing on November 9, 2023, the Board found that the applicable Rental Increase Conditions have been met, and voted unanimously to APPROVE Hometown's petition for a rental increase of 7% effective February 1, 2023.
- C. At the public hearing on November 9, 2023, the Board voted unanimously to APPROVE Hillcrest's Request for a Certificate of Eviction for 67 Fairview Street, Rockland, MA 02370.
- D. At the public hearing on November 9, 2023, the Board voted unanimously to APPROVE Hillcrest's Request for a Certificate of Eviction for 26 Balsam 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/ Eileen Cina Dated: January 5, 2024
Eileen Cina

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

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