

9  
November 3, 1994

1994 NOV -3 PM 4:54

Cambridge City Council  
City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

To the Honorable; the City Council:

Recent media publicity by the Massachusetts Homeowners Coalition (MHC), promoters of Question 9, has focused attention on two Cambridge landlords.

Because the MHC portrayals are gross distortions of actual fact and the public record, it may prove useful for the city council to have some facts at its disposal.

The Petrillo Case, 139 Magazine Street

Rent Board records show that the Petrillos used 139 Magazine Street as a four unit property and benefited from extra rental income for over twenty years. When a complaint tripped them up in 1986, the Rent Board hearing examiner recommended that they seek a removal permit.

Insted, the Petrillos chose to turn to Ferraro and Walsh. Four Ferraro & Walsh lawyers represented the Petrillos through proceedings at the Rent Board, the board of Zoning Appeals and in the courts over the next three years. Each time their legal efforts failed.

Finally, in 1989 the Petrillos did apply for a removal permit. It was granted and the exemption issued on January 10, 1990. Since that day, almost five years ago, the Petrillos property at 139 Magazine Street has been exempt from rent control. The property is currently assessed at close to \$300,000. Only one mortgage for \$25,000 granted in 1989 appears to be on file at the Middlesex South Registry of Deeds (MSRD).

This record demonstrates that the Petrillos aligned themselves with Ferraro & Walsh and Small Property Owners Association (SPOA) efforts to attack rent control by creating false conflicts with zoning law and then claiming inconsistent city policy. Had the Petrillos not violated two Cambridge laws, rent control and the housing code, and had they followed advice given them in 1986, they could have avoided all subsequent difficulties.

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The Pilgrim Case, 35-41 Jay Street

When the Pilgrims purchased 35-41 Jay Street in 1977, rent control had been Cambridge policy for seven years. They paid \$29,000 for a house with four large units. Today, the property has an assessed valuation of \$132,000.

Over the years, MSRD records for the Pilgrims show a great deal of activity. Since purchasing they have secured refinancing a total of six times. Each time banks have been willing to increase the amount lent. The last loan, for \$115,000, from Fleet Real Estate Funding of South Carolina, was secured in December, 1993.

Mr. Pilgrim, along with family members, also has an ownership interest in two properties on Franklin Street whose assessed valuations exceed \$400,000.

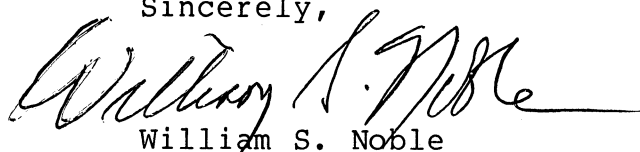
The Pilgrims tried twice to remove one unit, which would have removed their property from rent control as an owner-occupied three family. Each time they were denied a removal permit. The Board offered to let them use the adjacent unit at 37 Jay Street, while keeping the property under rent control, but the Pilgrims do not appear to have been interested in such an arrangement.

Since owning the property, the Pilgrims have put substantial sums into the unit they occupy, but have put almost no money into the rental units. Along with 37 Jay Street which they have held vacant for some time, they have also not rented 41 Jay Street.

Tenants in the one occupied unit are very long term residents who say that little, if any, maintenance has been done for them since 1979. The tenants do not indulge in the lifestyle portrayed by the Pilgrims. They receive only social security income. They visit friends and relatives on the Cape and in Florida infrequently, traveling in their own car. They do not own property.

Contrary to MHC publicity, current legal maximum rents for the property will more than cover \$900/month mortgage payments.

Sincerely,

  
William S. Noble

S-470

Consent Communication #9

A comm. was received from William  
Noble regarding The Petrillo Case, 139 Magazine  
Street and the Pilgrim Case, 35-41 Jay Street.

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CITY OF BOSTON  
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In City Council November 7, 1994

*Placed on file*