

City of Cambridge

MASSACHUSETTS

In City Council

6-12

1995

Charter Right #1

YEA	NAY	ABSENT	PRESENT	
NA				
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
	✓			Mr. Anthony Galluccio
✓				Mr. Jonathan S. Myers
	✓			Mrs. Sheila T. Russell
NA	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Kenneth E. Reeves
5	4	0	0	



City of Cambridge

Calendar Item # 1

20.

IN CITY COUNCIL

~~June 5, 1995~~

June 12, 1995

COUNCILLOR TRIANTAFILLOU
COUNCILLOR DUEHAY
COUNCILLOR MYERS
MAYOR REEVES

WHEREAS: The end of rent control has resulted in severe housing problems for many Cambridge tenants; and

WHEREAS: The protections for certain Cambridge tenants currently provided under Chapter 282 of the Acts of 1994, the law passed in January to phase out rent control, are insufficient to alleviate the hardships faced by many tenants today; and

WHEREAS: A recent survey conducted by tenant organizations with Save Our Communities Committee found that the average rent increase in formerly rent-controlled apartments in Cambridge was 44% between the beginning of January and the end of March; and

WHEREAS: There is now pending before the Joint Committee on Housing and Urban Development of the State Legislature a bill to amend Chapter 282, House Bill 4825, so as to increase the number of tenants protected by raising the income requirement to 70 percent of the Boston area median, by extending protections to "protected" tenants in condominiums until the end of 1996, by not excluding outright all students from any protection, and by strengthening the eviction protection for "protected tenants, a copy of House Bill 4825 being hereby attached; and

WHEREAS: All of these amendments to Chapter 282 will serve to meet an important goal; providing immediate protections to many tenants who are now quite vulnerable; and

WHEREAS: Cambridge, which has the fourth largest number of tenant households in Massachusetts, is one of three communities that will be affected by these amendments; now therefore be it

RESOLVED: That the City Council record its support of House Bill 4825 and urge the State Legislature to approve this bill; and be it further

RESOLVED: That a copy of this resolution be sent to the Joint Committee on Housing and Urban Development forthwith; and be it further

RESOLVED: That the City Clerk be and hereby is requested to prepare suitably engrossed copies of this resolution to be sent to all members of the Cambridge delegation to the members be urged to support this bill.

In City Council June 12, 1995.

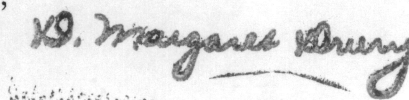
Adopted by a yeas and nays vote:-

Yeas 5; Nays 4; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in dark ink, appearing to read "D. Margaret Drury", written over a faint horizontal line.

D. Margaret Drury
City Clerk

By Mr. Businger of Brookline, per order of John A. Businger, Paul C. Demakis and Steven A. Tolman for legislation to provide for the alleviation of hardship of tenants in rental units. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT FURTHER PROVIDING FOR THE ALLEVIATION OF HARDSHIP OF CERTAIN TENANTS.

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 3 of chapter 282 of the acts of 1994 is
2 hereby amended by striking out subsection (d) and inserting in
3 place thereof the following subsection:—

4 (d) "Income Eligible", shall mean having an income which
5 when combined with the incomes of all other persons residing in
6 the same unit, is seventy percent or less of the median family
7 income for the Boston Primary Metropolitan Statistical Area as
8 set forth in or determined based upon regulations promulgated
9 from time to time by the United States Department of Housing
10 and Urban Development pursuant to Section 8 of the Housing Act
11 of 1937 as amended, and calculated pursuant to said regulations,
12 provided that in the case of households which include at least one
13 tenant who was an occupant of a covered rental unit as of
14 November eighth, nineteen hundred and ninety-four, and who had
15 reached the age of sixty-two years on or before said date, or one
16 tenant who is physically or mentally disabled, the applicable per-
17 centage shall be eighty percent.

1 SECTION 2. The first sentence of subsection (e) of said section 3
2 of said chapter 282 is hereby amended by adding the following:—
3 provided, however, said chapter 527 of the acts of 1983 shall be in
4 effect in all cities and towns as of the effective date of this act
5 notwithstanding the provisions of any general or special law to
6 the contrary.

1 SECTION 3. Section 4 of said chapter 282 is hereby amended
2 by striking out subsection (c) and inserting in place thereof the
3 following subsection:-

4 (e) Any Covered Rental Unit which is a condominium unit
5 shall be exempt from Rent Control if the tenant voluntarily
6 vacates or is lawfully evicted or on December thirty-first, nineteen
7 hundred and ninety-six, whichever occurs first.

1 SECTION 4. Said chapter 282 is hereby further amended by
2 striking out section 5 and inserting in place thereof the following
3 section:—

4 Section 5. Rents.

5 For all Covered Rental Units, rents shall be subject to Rent
6 Control to the same extent and on the same terms and conditions
7 otherwise lawfully prescribed by any city or town as of November
8 eighth, nineteen hundred and ninety-four, including without limi-
9 tation any provision for decontrol or exemption after such date;
10 provided, however, that commencing as of January first, nineteen
11 hundred and ninety-five, landlords shall be entitled to increase the
12 rent for each such Unit annually in order to ensure that (a) such
13 rent exceeds the amount previously charged by three percent and
14 (b) such rent constitutes no less than twenty-five percent of the
15 combined incomes of all persons residing in such unit, calculated
16 pursuant to regulations promulgated from time to time by the
17 United States Department of Housing and Urban Development
18 pursuant to Section 8 of the Housing Act of 1937 as amended.

1 SECTION 5. Subsection (a) of section 6 of said chapter 282 is
2 hereby amended by striking out the introductory paragraph and
3 inserting in place thereof the following paragraph:—

4 No person may recover possession of a Covered Rental Unit, in
5 any proceeding pursuant to chapter 239 of the General Laws or
6 otherwise, unless the board finds that:.

1 SECTION 6. Said section 6 of said chapter 282 is hereby fur-
2 ther amended by striking out subsection (b) and inserting in place
3 thereof the following subsection:—

4 (b) A landlord seeking to recover possession of a Covered
5 Rental Unit shall apply to the Board for a certificate of eviction.

1 SECTION 7. Said section 6 of Chapter 282 is hereby fur-
2 ther amended by adding the following subsection:—
3 (c) Unless the board makes a decision on a certificate of evic-
4 tion within thirty days of filing of the application with the board,
5 the certificate of eviction shall be deemed granted.

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City of Cambridge

20.

IN CITY COUNCIL

June 5, 1995

COUNCILLOR TRIANTAFILLOU
COUNCILLOR DUEHAY
COUNCILLOR MYERS
MAYOR REEVES

WHEREAS: The end of rent control has resulted in severe housing problems for many Cambridge tenants; and

WHEREAS: The protections for certain Cambridge tenants currently provided under Chapter 282 of the Acts of 1994, the law passed in January to phase out rent control, are insufficient to alleviate the hardships faced by many tenants today; and

WHEREAS: A recent survey conducted by tenant organizations with Save Our Communities Committee found that the average rent increase in formerly rent-controlled apartments in Cambridge was 44% between the beginning of January and the end of March; and

WHEREAS: There is now pending before the Joint Committee on Housing and Urban Development of the State Legislature a bill to amend Chapter 282, House Bill 4825, so as to increase the number of tenants protected by raising the income requirement to 70 percent of the Boston area median, by extending protections to "protected" tenants in condominiums until the end of 1996, by not excluding outright all students from any protection, and by strengthening the eviction protection for "protected tenants, a copy of House Bill 4825 being hereby attached; and

WHEREAS: All of these amendments to Chapter 282 will serve to meet an important goal; providing immediate protections to many tenants who are now quite vulnerable; and

WHEREAS: Cambridge, which has the fourth largest number of tenant households in Massachusetts, is one of three communities that will be affected by these amendments; now therefore be it

RESOLVED: That the City Council record its support of House Bill 4825 and urge the State Legislature to approve this bill; and be it further

RESOLVED: That a copy of this resolution be sent to the Joint Committee on Housing and Urban Development forthwith; and be it further

RESOLVED: That the City Clerk be and hereby is requested to prepare suitably engrossed copies of this resolution to be sent to all members of the Cambridge delegation to the members be urged to support this bill.

CHARTER RIGHT EXERCISED BY COUNCILLOR GALLUCCIO

HOUSE

By Mr. Businger of Brookline, petition of John A. Businger, Paul C. Demakis and Steven A. Tolman for legislation to provide for the alleviation of hardship of tenants in rental units. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT FURTHER PROVIDING FOR THE ALLEVIATION OF HARDSHIP OF CERTAIN TENANTS.

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 3 of chapter 282 of the acts of 1994 is
2 hereby amended by striking out subsection (d) and inserting in
3 place thereof the following subsection:—

4 (d) "Income Eligible", shall mean having an income which
5 when combined with the incomes of all other persons residing in
6 the same unit, is seventy percent or less of the median family
7 income for the Boston Primary Metropolitan Statistical Area as
8 set forth in or determined based upon regulations promulgated
9 from time to time by the United States Department of Housing
10 and Urban Development pursuant to Section 8 of the Housing Act
11 of 1937 as amended, and calculated pursuant to said regulations,
12 provided that in the case of households which include at least one
13 tenant who was an occupant of a covered rental unit as of
14 November eighth, nineteen hundred and ninety-four, and who had
15 reached the age of sixty-two years on or before said date, or one
16 tenant who is physically or mentally disabled, the applicable per-
17 centage shall be eighty percent.

1 **SECTION 2.** The first sentence of subsection (e) of said section 3
2 of said chapter 282 is hereby amended by adding the following:—
3 provided, however, said chapter 527 of the acts of 1983 shall be in
4 effect in all cities and towns as of the effective date of this act
5 notwithstanding the provisions of any general or special law to
6 the contrary.

SECTION 3. Section 4 of said chapter 282 is hereby amended
 1 by striking out subsection (e) and inserting in place thereof the
 2 following subsection:—
 3 (e) Any Covered Rental Unit which is a condominium unit
 4 shall be exempt from Rent Control if the tenant voluntarily
 5 vacates or is lawfully evicted or on December thirty-first, nineteen
 6 hundred and ninety-six, whichever occurs first.

SECTION 4. Said chapter 282 is hereby further amended by
 1 striking out section 5 and inserting in place thereof the following
 2 section:—

Section 5. Rents.
 3 For all Covered Rental Units, rents shall be subject to Rent
 4 Control to the same extent and on the same terms and conditions
 5 otherwise lawfully prescribed by any city or town as of November
 6 eighth, nineteen hundred and ninety-four, including without limi-
 7 tation any provision for decontrol or exemption after such date;
 8 provided, however, that commencing as of January first, nineteen
 9 hundred and ninety-five, landlords shall be entitled to increase the
 10 rent for each such Unit annually in order to ensure that (a) such
 11 rent exceeds the amount previously charged by three percent and
 12 (b) such rent constitutes no less than twenty-five percent of the
 13 combined incomes of all persons residing in such unit, calculated
 14 pursuant to regulations promulgated from time to time by the
 15 United States Department of Housing and Urban Development
 16 pursuant to Section 8 of the Housing Act of 1937 as amended.

SECTION 5. Subsection (a) of section 6 of said chapter 282 is
 1 hereby amended by striking out the introductory paragraph and
 2 inserting in place thereof the following paragraph:—
 3 No person may recover possession of a Covered Rental Unit, in
 4 any proceeding pursuant to chapter 239 of the General Laws or
 5 otherwise, unless the board finds that:

SECTION 6. Said section 6 of said chapter 282 is hereby fur-
 1 ther amended by striking out subsection (b) and inserting in place
 2 thereof the following subsection:—
 3 (b) A landlord seeking to recover possession of a Covered
 4 Rental Unit shall apply to the Board for a certificate of eviction.

1995]

HOUSE — No. 4829

1 SECTION 7. Said section 6 of said chapter 282 is hereby fur-
 2 ther amended by adding the following subsection:—
 3 (c) Unless the board makes a decision on a certificate of evic-
 4 tion within thirty days of filing of the application with the board,
 5 the certificate of eviction shall be deemed granted.

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RE: INCREASED TENANT PROTECTIONS + SUPPORT OF
~~HOUSE BILL 4825~~

W.

WHEREAS, the end of rent control has resulted in severe housing problems for many Cambridge tenants; and

WHEREAS, the protections for certain Cambridge tenants currently provided under Chapter 282 of the Acts of 1994, the law passed in January to phase out rent control, are insufficient to alleviate the hardships faced by many tenants today; and

WHEREAS, a recent survey conducted by tenant organizations with the Save Our Communities Committee found that the average rent increase for tenants in formerly rent-controlled apartments in Cambridge was 44 percent between the beginning of January and the end of March; and

WHEREAS, there is now pending before the Joint Committee on Housing and Urban Development of the State Legislature a bill to amend Chapter 282, House Bill 4845, so as to increase the number of tenants protected by raising the income requirement to 70 percent of the Boston area median, by extending protections to "protected" tenants in condominiums until the end of 1996, by not excluding outright all students from any protections, and by strengthening the eviction protections for "protected" tenants, a copy of House Bill 4845 being hereby attached; and

WHEREAS, all of these amendments to Chapter 282 will serve to meet an important goal: providing immediate protections to many tenants who are now quite vulnerable; and

WHEREAS, Cambridge, which has the fourth largest number of tenant households in Massachusetts, is one of three communities that will be affected by these amendments; THEREFORE, BE IT RESOLVED,

RESOLVED, that the City Council record its support of House Bill 4845 and urge the State Legislature to approve this bill; and

RESOLVED, that a copy of this resolution be sent to the Joint Committee on Housing and Urban Development forthwith; and

RESOLVED, that copies of this resolution be sent to all members of the Cambridge delegation to the State Legislature and that all members be urged to support this bill.

ATTACHMENT

By Mr. Businger of Brookline, petition of John A. Businger, Paul C. Demakis and Steven A. Tolman for legislation to provide for the alleviation of hardship of tenants in rental units. Local Affairs.

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10 and Urban Development pursuant to Section 8 of the Housing Act
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City of Cambridge

20.

IN CITY COUNCIL

June 5, 1995

COUNCILLOR TRIANTAFILLOU

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Dickray Miguel Torres

Consent Order #20

R-590

Councillor Triantafillou re: Increased
tenant protections and support of House
Bill No. 4825.

*6/12/95- Order adopted
5-4-0.*

In City Council June 5, 1995

*Charter Right exercised
by Councillor Gallucci.*