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CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9094

David E. Sullivan
City Councillor

January 7, 1985

Mr. Lansing Fair
Better Cities Realty, Inc.
6 Bigelow Street
Cambridge, Massachusetts 02139

Dear Mr. Fair:

The December 1984 newsletter you mailed to all Cambridge homeowners informs them that their home may come under rent control as soon as it fails to qualify as their "primary residence." This position is completely incorrect as a matter of law.

The Cambridge Rent Control Act, and the "removal permit" ordinance (including the recent "full occupancy" amendment) passed by the City Council under the Act's authority, apply only to "rental units." Section 3(a) of the Act clearly defines a "rental unit" as property that is "rented or offered for rent."

If a homeowner, including a legal condominium unit owner-occupant, moves out of his or her home even permanently, that unit does not come under rent control until it is "rented or offered for rent." There are no exceptions to this rule. Therefore, the homeowners you are addressing are clearly exempt and have nothing to worry about.

As the City Council sponsor of the "full occupancy" ordinance, I can state that it applies only to "rental units" subject to rent control which a landlord has ceased to rent or offer for rent. I hope that this resolves your confusion, and that you will so inform the readers you may have alarmed, inadvertently I am sure.

Sincerely,

David E. Sullivan

David E. Sullivan

cc: City Manager
City Clerk
Patricia Cantor, General Counsel, Rent Control Board
Cambridge Rent Control Coalition

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Comm. from Councillor David Sullivan in response to the December 1984 edition of the Better Cities Realty, Inc. newsletter Re: offering a clarification of the Rent Control laws.

In City Council,

January 7, 1985

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