



# CITY OF CAMBRIDGE

678 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL 498-9077

## RENT CONTROL BOARD

ROGER MERVIS, EXECUTIVE DIRECTOR

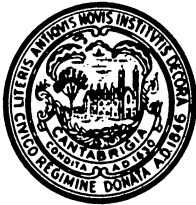
To: Robert Healy, City Manager  
From: Margaret Drury *MD*  
Re: Council Order No. 20: Problems of J. Fernsler, 195 Green Street  
Date: April 22, 1986

Although I can assure you that all of the proceedings regarding this property have been conducted fairly and professionally by the Rent Control staff involved, the Board and staff are aware of the frustrations inherent in multiple proceedings relating to the same property. Board regulations relating to the type of rent adjustment this property underwent, a Regulation 77 rent adjustment (which is a relatively new process designed specially for rent adjustments where there is rehab through a non profit housing rehab agency) have since been changed to avoid the surprise and frustration which occurs when an owner thinks that a certain rent level has been established and then discovers in a later proceeding that tenants may be entitled (under State laws, not Rent Control Board policy) to rent abatements for code violations.

Based in large part on the experience of this case, the Rent Control Board changes its regulations to require that all tenant complaints about the condition of the property must be heard at the time of the Reg. 77 rent adjustment hearing.

C.N.A.H.S. has been involved in this case, and I believe they are very satisfied with the efforts of the Rent Control Board to achieve a reasonable solution to the problem presented in trying to balance the need for repairs and the state law warranty of habitability issues. In recognition of the fact that Mr. Fernsler's case was a vehicle by which these public policy issues were finally resolved, the C.N.A.H. S. Board voted to pay some of the legal fees that Mr. Fernsler incurred during the process.

If you have any further questions regarding this case, please feel free to contact me.



**CITY OF CAMBRIDGE**

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TEL. 498-9011

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
DEPUTY CITY MANAGER

April 28, 1986

To the Honorable, the City Council:

In response to City Council Order No. 20 of March 31, 1986, I submit the attached report from Margaret Drury, Director of Rent Control Board regarding the case of John Fernsler.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy  
City Manager

Agenda Item No. 15 S 287

Re: problems of John Fernsler with Rent  
Control.

In City Council,

April 28, 1986

Placed on File