

348 Franklin Street
Cambridge, MA 02139
April 25, 1991

1991 APR 30 AM 10:14

CAMBRIDGE MA.

TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

Enclosed for the benefit of the Council is an attempt at rewording the resolve in the proposal before the council on transition exemptions to the removal ordinance. Also appended, for the convenience of the Council, is my proposed statutory language and the relevant section of the Cambridge Municipal Code.

I am offering this rewording because, on reading the proposal before the Council, I do not fully understand it. Something just seems to be missing.

The enclosed language, which I believe is what Vice-Mayor Reeves and Councillor Myers wish, is quite adequate to serve the purposes stated in the whereas's. Passage of the wording intended by Vice-Mayor Reeves and Councillor Myers would, if implemented, do a great of good.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert J. Tremouille".

Robert J. Tremouille

Attempted Rewording

1991 APR 30 AM 10:15

April 22, 1991 Calendar Item 19
April 8, 1991 order 31

CAMBRIDGE MA.

RESOLVED: That this City Council request the City Manager and Rent Control Board to look into amending the language of Ordinance Number 966 to require that a unit must have been legally owner-occupied once prior to May 1, 1990, in order for its owner or the unit to benefit from the "transition exemption" to the definition of "Removal from the Market" as stated in the Cambridge Municipal Code, section 8.44.020.D.6.

The "transition exemption" is that exemption which exempts from said definition "a condominium unit for which unit it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979".

No amendment created as a result of this resolution shall affect the provision in Ordinance Number 966 which states that no condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

2. Proposed removal ordinance change.

Amend Chapter 8.44 of the Cambridge Municipal Code by amending section 8.44.020.D.6,

1991 APR 30 AM 10:15
CAMBRIDGE MA.

- a. by inserting therein after the first "August 10, 1979," "and which has been once legally occupied by the unit owner prior to August 1, 1990.", and
- b. by deleting the balance of that sentence so that the paragraph picks up again with the last sentence,

as a result of which said section reads as follows:

"Removal from the market" does not include occupancy of . . . a condominium unit as to which it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979, and which has been once legally occupied by the unit owner prior to May 1, 1990. No condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

EXISTING LANGUAGE

6. **"Removal from the market"** does not include occupancy of a noncondominium unit by the owner of the building in which it is located or by any member of his/her immediate family; or a condominium unit which the owner occupied before the tenant occupied it; or a condominium unit as to which unit it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979, a canceled check being conclusive proof of the transaction, or a unit deed recorded in the Middlesex Registry of Deeds prior to August 10, 1979, whether or not the unit was being used for rental housing on August 13, 1979. No condominium unit once legally occupied by the unit owner shall ever again be subject to this chapter for any reason. (Ord.1014 § 1, 1984; Ord. 980 § 2, 1982; Ord. 966 (part), 1981; prior code Ch. 23 § 1(b))

1991 APR 25 PM 2:54

348 Franklin Street
Cambridge, MA 02139
April 25, 1991

CAMBRIDGE MA.

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I am offering this rewording because, on reading the proposal before the Council, I do not fully understand it. Something just seems to be missing.

The enclosed language, which I believe is what Vice-Mayor Reeves and Councillor Myers wish, is quite adequate to serve the purposes stated in the whereas's. Passage of the wording intended by Vice-Mayor Reeves and Councillor Myers would, if implemented, do a great of good.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert J. La Tremouille". The signature is fluid and cursive, with the first name "Robert" being the most prominent.

Robert J. La Tremouille

Attempted Rewording

April 22, 1991 Calendar Item 19

April 8, 1991 order 31

RESOLVED: That this City Council request the City Manager and Rent Control Board to look into amending the language of Ordinance Number 966 to require that a unit must have been legally owner-occupied once prior to May 1, 1990, in order for its owner or the unit to benefit from the "transition exemption" to the definition of "Removal from the Market" as stated in the Cambridge Municipal Code, section 8.44.020.D.6.

The "transition exemption" is that exemption which exempts from said definition "a condominium unit for which unit it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979".

No amendment created as a result of this resolution shall affect the provision in Ordinance Number 966 which states that no condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

2. Proposed removal ordinance change.

Amend Chapter 8.44 of the Cambridge Municipal Code by amending section 8.44.020.D.6,

- a. by inserting therein after the first "August 10, 1979,": "and which has been once legally occupied by the unit owner prior to August 1, 1990.", and
- b. by deleting the balance of that sentence so that the paragraph picks up again with the last sentence,

as a result of which said section reads as follows:

"Removal from the market" does not include occupancy of . . . a condominium unit as to which it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979, and which has been once legally occupied by the unit owner prior to May 1, 1990. No condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

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6. **"Removal from the market"** does not include occupancy of a noncondominium unit by the owner of the building in which it is located or by any member of his/her immediate family; or a condominium unit which the owner occupied before the tenant occupied it; or a condominium unit as to which unit it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979, a canceled check being conclusive proof of the transaction; or a unit deed recorded in the Middlesex Registry of Deeds prior to August 10, 1979, whether or not the unit was being used for rental housing on August 13, 1979. No condominium unit once legally occupied by the unit owner shall ever again be subject to this chapter for any reason. (Ord.1014 § 1, 1984; Ord. 980 § 2, 1982; Ord. 966 (part), 1981; prior code Ch. 23 § 1(b))

2.

COMMUNICATIONS

S-581

Communication received from Robert J. LaTremouille, transmitting a proposal on transition exemptions to the rent control removal ordinance.

In City Council,

April 29, 1991

Referred to Hearing