



# City of Cambridge

Calendar Item # 9  
SUBSTITUTED ORDER  
IN CITY COUNCIL

April 8, 1991  
June 10, 1991

COUNCILLOR TOOMEY

**WHEREAS:** The Rent Board adopted in 1985 a comprehensive formula to adjust rents in citywide "General Adjustments", simulating the Board's individual building adjustments, and based on models and constructs, for which essential information was lacking, including, for 40 percent of all units adjusted, any information about their net operating income, and based as well on estimates of expense categories like maintenance and repair that did not account for their wide variation among properties; and

**WHEREAS:** This general adjustment formula has produced rent increases since 1985 that, on average, substantially exceed the rate of inflation, thereby violating both the letter and spirit of the Rent Control Act; now therefore be it

**ORDERED:** That the City manager be and is hereby requested to convey a copy of this order to the Rent Board and to advise the Board that it is the view of the City Council that the following principles be used as the basis for future citywide adjustments of rents:

(1) General Adjustments shall be based on actual and verified changes in property taxes and other operating expenses, including water and sewer fees, heating costs (if furnished by the landlord), and insurance costs.

(2) That all models or constructs which are used by the Rent Control Board shall be based upon statistically significant or reasonable verifiable samples. The City Council does not support the use of unverifiable models, in creating rent control rents; and be it further

**ORDERED:** That the Rent Board determine, before the adoption of the next General Adjustment, how many of the apartments and properties about which the Board lacks essential information are currently being used as controlled rental housing, and to determine, for such apartments and properties in use, how additional information might be obtained, upon which an "actual and verified" General Adjustment might reasonably be based; and be it further

ORDERED: That notice to tenants and landlords shall be sent out with each General Adjustment, explaining in clear language how the percentage of increase or decrease was arrived at, including, to the extent possible, the specific elements that went into adjusting the rent for their unit/units.

In City Council June 10, 1991.

Adopted as amended by a yea and nay vote:-

Yeas 6; Nays 3; Absent 0.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

*Joseph E. Connarton*

ATTEST:-

Joseph E. Connarton, City Clerk



# City of Cambridge

ORIGINAL ORDER

Calendar Item # 9

~~Calendar Item # 11~~

IN CITY COUNCIL

April 8, 1991

April 29, 1991

COUNCILLOR MYERS  
VICE MAYOR REEVES

**WHEREAS:** A General Adjustment that is reasonable, fair and predictable would be beneficial to landlords and tenants alike; and

**WHEREAS:** Concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely; now therefore be it

**RESOLVED:** That the City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predictable and less erratic in its impact on tenants; and be it further

**RESOLVED:** That to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year; and be it further

**RESOLVED:** That the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next.



# City of Cambridge

Calendar Item # 11

IN CITY COUNCIL

April 29, 1991

VICE MAYOR REEVES

RESOLVED: That the General Adjustments should be based on actual and verified changes in property taxes and other operating expenses, including water and sewer fees and insurance costs, but general adjustments should not be based on models, constructs or indices of changes in expenses or other categories where such estimates do not represent costs actually incurred or where such models, constructs or indices estimates cannot be verified. Notices to tenants and landlords should be sent out with each General Adjustment, explaining in clear language how the percentage of increase or decrease was arrived at, including, to the extent possible, the specific elements that went into adjusting the rent for their unit/units.

NO ACTION TAKEN

(AMENDMENT OFFERED BY VICE MAYOR REEVES TO CALENDAR  
ITEM #11 AND NOT VOTED ON)

*C. Cooney*

WHEREAS: The Rent Board adopted in 1985 a comprehensive formula to adjust rents in citywide "General Adjustments", simulating the Board's individual building adjustments, and based on models and constructs, for which essential information was lacking, including, for 40 percent of all units adjusted, any information about their net operating income, and based as well on estimates of expense categories like maintenance and repair that did not account for their wide variation among properties.

WHEREAS: This general adjustment formula has produced rent increases since 1985 that, on average, substantially exceed the rate of inflation, thereby violating both the letter and spirit of the Rent Control Act. Now therefore be it

ORDERED: That the City Manager be and is hereby requested to convey a copy of this order to the Rent Board and to advise the Board that it is the view of the city council that the following principles be used as the basis for future citywide adjustments of rents:

- (1) General Adjustments shall be based on actual and verified changes in property taxes and other operating expenses, including water and sewer fees, heating costs (if furnished by the landlord), and insurance costs.
- (2) General Adjustments shall not be based on estimates of changes in expenses that cannot be verified or do not represent costs actually incurred, nor shall General Adjustments be based on models or constructs of changes in expenses or other categories where such models or constructs cannot be verified.

And be it further

ORDERED: That the Rent Board determine, before the adoption of the next General Adjustment, how many of the apartments and properties about which the Board lacks essential information are currently being used as controlled rental housing, and to determine, for such apartments and properties in use, how additional information might be obtained, upon which an "actual and verified" General Adjustment might reasonably be based; and be it further

*C. May 2/85  
moved to  
Subcommittee  
w/ V.M. Kelver  
Amended  
Failed of  
Adoption*

ORDERED: That notice to tenants and landlords shall be sent out with each General Adjustment, explaining in clear language how the percentage of increase or decrease was arrived at, including, to the extent possible, the specific elements that went into adjusting the rent for their unit/units.

UMajor Revised

TSJ  
STACE  
O.K.

~~The Council further strongly recommends~~  
That all models or constructs which are  
used by the Rent Control Board shall be based  
upon statistically significant samples. <sup>or reasonably</sup> <sup>derivable</sup> ~~with~~  
~~actual baseline information that can be verified.~~

<sup>TSJ [does - O.K.]</sup>  
The Council ~~is~~ not inclined to support the use  
of <sup>unverified</sup> models, ~~which are based upon other models~~  
in creating rent control rents.

Actual costs wherever they can  
get it given their budget  
and staff restraints.

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1991

*Councillor Toomey - Motion to amend the Amendment as*

*offered by Vice Mayor Reeves.*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

6 3 0 0

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1997

*Vice Mayor Reeves - motion to Rescind amend the*

	<i>Amendment</i>			
	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

*6 3 0 0*

# City of Cambridge

MASSACHUSETTS

In City Council \_\_\_\_\_ 199

*Reconsideration*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	4 <sup>(1)</sup>	2 <sup>(2)</sup>		
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.		✓		
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

3      6

# City of Cambridge

MASSACHUSETTS

In City Council \_\_\_\_\_ 199

*Surfer.*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✗		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

6 3

## VICE MAYOR REEVES

[The council further strongly recommends]  
that all models or constructs which are  
used by the Rent Control Board shall be based  
upon statistically significant samples with  
actual baseline information that can be verified.  
The Council <sup>does</sup> ~~is~~ not ~~inclined~~ to support the use  
of <sup>unverified</sup> models which are based upon other <sup>unverified</sup> models  
in creating rent control rents.

# City of Cambridge

MASSACHUSETTS

In City Council \_\_\_\_\_ 199

*C. Myers*

*Motion to Amend Subst. Make Motion*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.		✓		
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

4

5

*Failed of Adoption*

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1991

*C. Duehay*

*Suspension of Rules on Vote 2*

*Unfinished Business #2*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.		✓		
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

*5 4 0 0*

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1991

*C. Myers*

*Motion Question on Amendment offered*

*By Vice Mayor Reeves*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓ <sup>(2)</sup>		✓	
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

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3

0/0

# City of Cambridge

MASSACHUSETTS

In City Council \_\_\_\_\_ 199

*C. Coomey*

*Coomey, Amendment*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

*6 3*

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1991

*C. Myers*

*Moving Amendment offered by C. Toomey*

*TO VICE Mayor Reeves Amendment*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay				✓
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.		✓		
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf				✓

3

4

2

*Failed by Adoption*

# City of Cambridge

MASSACHUSETTS

In City Council June 10 1991

C. Myers - Moved Reconsideration.

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

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Reconsideration Prevails.

# City of Cambridge

MASSACHUSETTS

In City Council June 10, 1991

*C. Myers - Moved Suspension of Rules. for the purpose of moving Reconsideration of Amendment offered by C. Myers.*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

6                      3                      0                      0

# City of Cambridge

MASSACHUSETTS

In City Council June 10, 1991

C. Walsh - To Move "On the Table - Item 9" - From the Table

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

6 3



# City of Cambridge

Calendar Item # 11

IN CITY COUNCIL

April 8, 1991

April 29, 1991

**COUNCILLOR MYERS  
VICE MAYOR REEVES**

**WHEREAS: A General Adjustment that is reasonable, fair and predictable would be beneficial to landlords and tenants alike; and**

**WHEREAS: Concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely; now therefore be it**

**RESOLVED: That the City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predictable and less erratic in its impact on tenants; and be it further**

**RESOLVED: That to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year; and be it further**

**RESOLVED: That the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next.**

**TABLED BY COUNCILLOR MYERS.**

**COUNCILLOR CYR RECORDED IN THE NEGATIVE.**



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Calendar Item # 11

IN CITY COUNCIL

April 29, 1991

VICE MAYOR REEVES

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NO ACTION TAKEN

(AMENDMENT OFFERED BY VICE MAYOR REEVES TO CALENDAR  
ITEM #11 AND NOT VOTED ON)

~~Revised~~ that the  
Insert:

General Adjustments should be based on actual and verified changes in property taxes and other operating expenses, including water and sewer fees and insurance costs, but general adjustments should not be based on <sup>models, constructs or indicators</sup> estimates of changes in expenses or other categories where such estimates do not represent costs actually incurred or where such <sup>models, constructs or indicators</sup> estimates cannot be verified. Notices to tenants and landlords should be sent out with each General Adjustment, explaining in clear language how the percentage of increase or decrease was arrived at, including, to the extent possible, the specific elements that went into adjusting the rent for their unit/units.

*[Handwritten signature]*



# City of Cambridge

18.

IN CITY COUNCIL

April 8, 1991

*Tabled by C. Myers  
v/v  
d*

*C. Cyr recorded in the negative.*

COUNCILLOR MYERS  
VICE MAYOR REEVES

WHEREAS: A General Adjustment that is reasonable, fair, and predictable would be beneficial to landlords and tenants alike; and

WHEREAS: Concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely; now therefore be it

RESOLVED: That the City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predictable and less erratic in its impact on tenants; and be it further

RESOLVED: That to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year; and be it further

RESOLVED: That the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next; *and be it further*

*Resolved:*



# City of Cambridge

18.

IN CITY COUNCIL

April 8, 1991

COUNCILLOR MYERS  
VICE MAYOR REEVES

WHEREAS: A General Adjustment that is reasonable, fair, and predictable would be beneficial to landlords and tenants alike; and

WHEREAS: Concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely; now therefore be it

RESOLVED: That the City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predictable and less erratic in its impact on tenants; and be it further

RESOLVED: That to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year; and be it further

RESOLVED: That the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next.

**REFERRED TO THE CALENDAR**

MC

NC

18

Whereas a General Adjustment that is reasonable, fair, and predicatable would be beneficial to landlords and tenants alike;

Whereas concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely;

Therefore be it resolved that City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predicatable and less erratic in its impact on tenants;

Be it further resolved that to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year;

And be it further resolved that the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next.



# City of Cambridge

18.

IN CITY COUNCIL

April 8, 1991

COUNCILLOR MYERS  
VICE MAYOR REEVES

- WHEREAS: A General Adjustment that is reasonable, fair, and predictable would be beneficial to landlords and tenants alike; and
- WHEREAS: Concern has been raised with recent General Adjustments that the timing of the General Adjustments are unknown and the amount of the rent increases can vary widely; now therefore be it
- RESOLVED: That the City Council recommend to the City Manager and the Rent Control Board that Rent Control Board takes steps to ensure that the General Adjustment is more predictable and less erratic in its impact on tenants; and be it further
- RESOLVED: That to accomplish the goals of a more predictable and livable General Adjustment the City Council recommends that the Rent Control Board begin to schedule the General Adjustment at regular annual points in the year; and be it further
- RESOLVED: That the City Council recommends to the City Manager and the Rent Control Board that efforts be made to make the rate of the rent increase more predictable by tying the rate of the increase to costs actually incurred, and to work to produce a General Adjustment which does not produce major swings or jumps in the rate of increase or decrease from one year to the next.

NC

Carl  
S-188

Order # 18

NON-CONSENT

Councillor Myers and Vice Mayor Reeves  
re: General Adjustment.

In City Council,

April 8, 1991

Referred to the  
Calendar

4/29/91

Tabled by  
Councillor Myers

6/10/91 Order adopted  
as amended

6-3-0