

Vice Mayor La Rosa

Ordered:

that the hearing <sup>examiner</sup> ~~office~~ of the Cambridge  
Rent Control Board responsible for the case of  
Frank Budnyk of 97<sup>7</sup> Spring Street, Cambridge  
be requested to appear before the City Council  
on September 5, 1985 in order to discuss a  
rent decision filed by said hearing examiner, as  
he is further  
directed:

that the City <sup>clerk</sup> ~~manager~~ be and  
hereby is requested to ~~forward~~ forward the  
order to the Station Director of the Rent  
Control Board

# City of Cambridge

MASSACHUSETTS

In City Council

August 25 1985

*Amendment by Charles - Carney*

|                        | YEA | NAY | ABSENT | PRESENT |
|------------------------|-----|-----|--------|---------|
| Mr. Daniel J. Clinton  | ✓   |     |        |         |
| Mr. Thomas W. Danehy   |     |     | ✓      |         |
| Ms. Sandra Graham      |     |     |        | ✓       |
| Mr. Alfred W. LaRosa   | ✓   |     |        |         |
| Mr. David E. Sullivan  |     | ✓   |        |         |
| Mr. Walter J. Sullivan | ✓   |     |        |         |
| Mr. Alfred Vellucci    | ✓   |     |        |         |
| Ms. Alice K. Wolf      | ✓   |     |        |         |
| Mayor Duehay           | ✓   |     |        |         |

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Order as amended Adopted-

(EXCERPT FROM DECISION WHICH IS THE BASIS OF THE ORDER  
ADOPTED BY THE CITY COUNCIL)

Notwithstanding this recommendation, i've found a number of aspects of this case quite troubling. Since the hearing I have become aware that Mr. Budryk intends to run for City Council in Cambridge (confirmed by the Election Commission), thereby requiring residence in the City - at least through the election period.

Based on this information and the difficulty of the case in general, I recommend that the Board hereby monitor this situation reviewing the occupancy of the unit in six months and if the unit does not and has not served as the owner's principal place of residence, that the Board refer the case to the General Counsel of the Rent Control Board on grounds of prosecution for perjury.



**CITY OF CAMBRIDGE**  
**INTEROFFICE CORRESPONDENCE**

**To** Robert W. Healy, City Manager

**Date** August 12, 1985

**From** Paul E. Healy, City Clerk

**Reference**

**Subject** Issues raised by Frank J. Budryk at the  
Council meeting of August 5, 1985

Enclosed is a copy of the pertinent paragraphs in the decision which were subject of the complaint of Frank J. Budryk. I trust that this information and the order which provides for both a written report by the City Manager and the appearance of the hearing examiner before the Council on September 9, 1985 will be helpful in resolving this matter.

In this connection Councillor David Sullivan was concerned with setting of a dangerous precedent for the future where the hearing examiner operates in a "quasi-judicial" manner.

In 1983 and 1984 Frank J. Budryk is listed at 69 Spring Street, in 1985 there is no listing at 69 Spring Street, however, in 1985 he is listed at 662 Cambridge Street.

PEH/mh

Enclosures

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Based on this information and the difficulty of the case in general, I recommend that the Board hereby monitor this situation reviewing the occupancy of the unit in six months and if the unit does not and has not served as the owner's principal place of residence, that the Board refer the case to the General Counsel of the Rent Control Board on grounds of prosecution for perjury.



# City of Cambridge

(Amended Order No. 36)

IN CITY COUNCIL

August 5, 1985

COUNCILLOR WOLF  
COUNCILLOR LAROSA

- ORDERED: That the City Manager be and hereby is requested to confer with the Executive Director of the Rent Control Board and the hearing examiner who rendered the decision in the case of Frank Budryk of 91 Spring Street, Cambridge relative to property located at 662 Cambridge Street and to respond in writing to the complaints and issues raised by Frank Budryk before this City Council on August 5th, 1985; and be it further
- ORDERED: That the City Manager be and hereby is requested to direct the hearing examiner in the aforementioned case to appear before this City Council on September 9th, 1985 and be prepared to discuss the decision rendered by him in the above case; and be it further
- ORDERED: That the City Clerk be and hereby is requested to forward a copy of this order to the Executive Director of the Rent Control Board.

In City Council August 5, 1985.  
Adopted as amended by a yeas and nays vote:-  
Yeas 6; Nays 1; Absent 1; Present 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature of Paul E. Healy in cursive script, written over a horizontal line.

Paul E. Healy, City Clerk.



# City of Cambridge

Original Order No. 36

IN CITY COUNCIL

August 5, 1985

COUNCILLOR WOLF

ORDERED:

That the City Manager be and hereby is requested to confer with the Executive Director of the Rent Control Board and the hearing examiner who rendered the decision providing for an eviction in the case of Frank Budryk of 91 Spring Street, Cambridge relative to property located at 662 Cambridge Street and to respond in writing to the complaints and issues raised by Frank Budryk before this City Council on August 5th, 1985.



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Yeas 6; Nays 1; Absent 1; Present 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in dark ink, reading "Paul E. Healy", is written over a horizontal line.

Paul E. Healy, City Clerk.

1-242

C. Wolf & C. LaRosa order re: City Manager  
to confer with the Executive Director of the  
Rent Control Board & hearing examiner who  
rendered the decision in the case of Frank  
Budryk Re: property located at 662 Cambridge  
St. & respond in writing to Mr. Budryk's com-  
plaints & the hearing examiner to be requested  
to appear before the City Council on September  
9, 1985 & be prepared to discuss the decision  
he rendered in this case.

8/5/1985

Order of C. Wolf  
As amended by C. LaRosa  
Adopted on 8/5/85  
6-1-1-1

Letter sent to City Manager forwarding order  
& request to paragraph of decision 8/12/85  
(copy within)

Copy of order sent to Roger Morris, Exec. Dir. of  
In City Council, Rent Control Board 8/12/85 mk

August 5, 1985

*Revised*