



CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

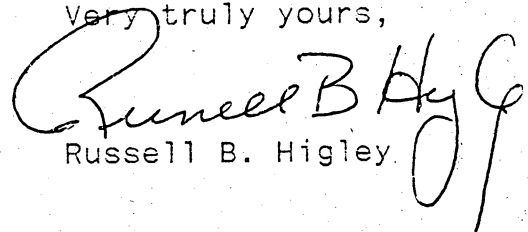
December 28, 1989

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

In response to City Council Calendar Item No. 20 of December 8, 1989, please find attached a draft of a Home Rule Amendment. Every effort has been made to ensure that this Amendment is responsive to the intent of the Council as described in its resolution.

Very truly yours,


Russell B. Higley

RBH/jml
Enclosure

ORD#3

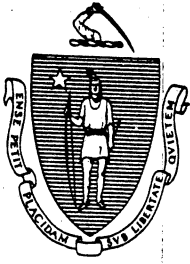
*To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.*

*The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation*

to amend Chapter 36 of the Acts of 1976, an Act enabling
the City of Cambridge to continue to control rents and
evictions, by clarifying the exemption for owner-occupied
two and three-family houses

Petitioners are requested to sign names and addresses legibly.

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The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

TO AMEND CHAPTER 36 OF THE ACTS OF 1976, AN ACT ENABLING
THE CITY OF CAMBRIDGE TO CONTINUE TO CONTROL RENTS AND
EVICTIONS, BY CLARIFYING THE EXEMPTION FOR OWNER-
OCCUPIED TWO- AND THREE-FAMILY HOUSES

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

SECTION 1.

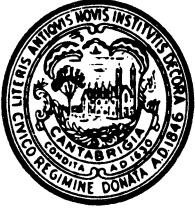
Long term residents of the City of Cambridge who are owner-occupants of two- and three-family houses that are not currently subject to the City's rent control laws by virtue of the exemption provided in Ch. 36 of the Acts of 1976, Section 3 (b) (6), have expressed their concern to the Cambridge City Council that upon the death of the current owners, and the subsequent transfer of their property to their heirs or devisees, the application of existing regulations of the Cambridge Rent Control Board may deprive their heirs or devisees of the owner-occupancy exemption provided by Section 3(b)(6) of the Act. It is the intention of the City of Cambridge that such owner-occupants of two- and three-family exempt

NOTE. — Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

properties be entitled to leave their houses to their heirs or devisees in equal shares or in any manner they deem fit. It is further the intention of the City of Cambridge that their heirs or devisees or any one of them shall have the right without regard for the percentage or share of actual beneficial ownership interest held by them, to occupy a unit of the two- or three-family house and by so occupying be entitled to the exemption provided in Section 3(b)(6) of the Act.

Section 2. Section 3(b)(6) of the Acts of 1976 is hereby amended in its entirety so as to read as follows:

- (6) the rental unit or units in an owner-occupied two- or three-family house; "owner," for the purposes of this Section shall include any heir or devisee of a deceased owner-occupant of an exempt two- or three-family house regardless of what percentage of actual beneficial title to the property that heir or devisee holds.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

December 28, 1989

To the Honorable, the City Council:

I hereby transmit a response to the City Council Calendar Item No. 20
of December 8, 1989.

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

RWH/mev
enclosure

Agenda # 1

5-878

Response to Calendar Item Number 20 of
December 8, 1989.

In City Council,

December 28, 1989

12/28/89 - Due to a
lack of quorum
no action taken.
Resubmitted 1/8/90