



**SMA L PROPERTY OWNERS
ASSOCIATION OF CAMBRIDGE**



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CAMBRIDGE MA.

20 Lee Street
Cambridge, MA 02139
November 27, 1987

Rent Control Committee
Cambridge City Council
City Hall
Cambridge, MA 02139

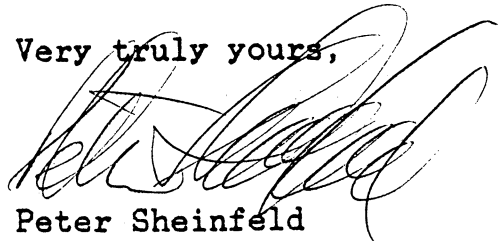
Attention: Joseph E. Connarton, City Clerk

Dear Ladies and Gentlemen,

Enclosed is a list of suggestions which we feel will assist small property owners in Cambridge.

If you should have any questions regarding these suggestions, we would certainly be willing to meet and discuss these items with you.

Very truly yours,


Peter Sheinfeld
President

cc: Ms. Margaret Drury, Executive Director of Rent Control

SUGGESTIONS FOR RENT CONTROL

1. Mediating hearing officers should stop requesting landlords to pay money to tenants in eviction cases. This practice is inappropriate and improper.
2. There should be a time limit (We would suggest 20 days) for hearing officers to submit their report after a hearing.
3. There should be strong penalties for landlords and tenants who lie under oath at a hearing. It is our understanding that although landlords have been penalized, there has never been a penalty to a tenant who has lied. Lying under oath should be just cause for eviction.
4. Grandparents, grandchildren, nieces and nephews should be included as "family members".
5. Allow a fair alternative basis for 1967 base rents that were either very high or very low. Either assessed value or comparative rents could be used.
6. Reconsider fairness of 6 1/2 % management fee. Certainly 6 1/2 % today with rent control regulations does not compare equitably with 6 % prior to rent control. The 6 1/2 % fee should be changed to 10 % and legal costs should not be considered as management fees.
7. Provide greater assistance for small landlords. Perhaps an ombudsperson at rent control could provide this assistance. This is especially needed by the elderly, immigrant or low income landlord. This person could also assist landlords and tenants to resolve problems they may have with rent control. This process could be an alternative to court appeals which take more time and are more costly for all involved.
8. There should be some consideration for mortgage payments. This is particularly essential when the mortgage payments exceed the rent.
9. Allow loosening of regulation (c1/2) to non-developers allowing tenants to purchase and occupy their apartments. At the very least, the August 1979 date should be eliminated and a set number of years should be used.
10. Allow rent controlled units in hybrid buildings to be sold to tenants who have lived in their apartments for two years.

11. Require tenants to file an affidavit that they do not own property either in Cambridge or elsewhere. If they do own property, they should list it.
12. Tenants should not be able to stall proceedings in evictions and rent adjustments by claiming minor code violations. Serious violations would include items pertaining to health and/or safety. The tenant should notify the landlord in writing of any violations prior to notifying rent control.
13. Decontrol owner-occupied 4, 5, and 6 family buildings. Also decontrol a percentage of units in larger buildings. Rooming houses should not be under rent control. Parking should not be under rent control.
14. Send out notification to all property owners with their tax bill regarding what buildings are under rent control and under what conditions they are controlled.
15. Provide a limited amnesty for owners who did not know they were subject to rent control. These owners should be allowed to pay back rent differences without a penalty.
16. Provide a low interest revolving loan fund for small property owners to be used for capital improvements.
17. Allow owner-occupants to sublet their own unit at market rates. This should be done in accordance with a written agreement. This agreement should not be subject to change by rent control.
18. Provide a fund for temporary rent help for low, moderate, handicapped and elderly tenants who have fallen on hard times. This fund would be similar to the good neighbor energy fund.
19. Provide information and assistance to landlords regarding removal of lead paint.
20. Allow tax increases to be passed through as immediate rent adjustments without going through the hearing process.
21. Provide incentives to rent to low and moderate income tenants. We would suggest being able to apply a rent adjustment within 90 days of the application date.

22. Chronic late payment should be defined as less than 135 days in a twelve month period. A single written notice from the landlord should satisfy the notice requirement rather than the landlord being required to notify the tenant each time the rent is late.
23. If tenants are advised by rent control that they can decorate their apartments themselves, the tenant should also be advised that they should first obtain permission from the landlord. Since a tenant could improperly prepare the surface or use lead paint, code violations would result. A landlord would also not want floors or wallpaper painted or ceilings painted an objectionable color.
24. A landlord should be able to execute a lease agreement even though one did not previously exist.
25. Landlords should not be penalized if they rely on information from rent control that is incorrect.
26. Try to conduct hearings so they are less adversarial. We realize this may be difficult but feel that steps should be taken to make relationships between landlords and tenants more pleasant and less devisive.

Currently there are no incentives for the small owner to invest in rent controlled property. We feel that the small owner has been very responsive to tenant's needs since they generally either live in the building or in the neighborhood. We believe that implementation of the above items would help alleviate many problems.

S-12A

S-739/187

Comm. from Peter Sheinfeld, President, Small Property Owners Association of Cambridge, transmitting a list of Suggestions for Rent Control in Cambridge.

Note: This communication was re-submitted for consideration of the Council on 1/11/88 - at which time it was referred to the Committee on Rent Control, upon its appointment

In City Council,
December 21, 1987

*copy sent to D. Margaret Drury, Rent Control Board -
copies will go to the Council after inauguration mch*