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Pepita Soto
James W. Headley
86 Henry Street
Cambridge MA 02139
617/868-2044
April 21, 1994

RECEIVED BY
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APR 21 AM 9:41
CAMBRIDGE MA.

Re: Ordinance 1093 (Amnesty Ordinance)
Ruling Against the Rent Control Board

City Councilors
City of Cambridge

Dear Madams & Sirs:

The purpose of this note is to request your help in avoiding a repetition for other owners of what we went through in our efforts to resolve our conflict with the Rent Board .

Pepita, our two children and I have lived at 86 Henry Street since 1986. We were aware that there was a conflict between what our residence was legally zoned (3 Family) and the Rent Board's records (4 Family) and when Ordinance 1093 was passed in December 1989, we came forward to openly resolve this conflict. Four years and \$15,000 later, the Appeals Court agreed with us that 86 Henry Street is, in fact, a 3 family dwelling.

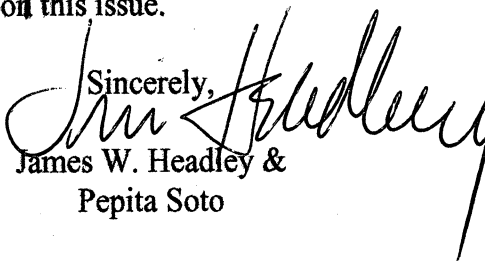
The Superior Court's interpretation of both the wording and intent of Ordinance 1093 was diametrically opposed to that of the Rent Board's. Since this ruling has now been upheld by the Court of Appeals, it sets precedent. There is no doubt that other property owners affected by 1093 will use this decision in their cases.

We don't believe that the City Council intended owners to expend the amount of time and money we have resolving conflicts with the Rent Board.

More importantly, at this juncture, we believe that there is an opportunity for Cambridge to avoid a waste of both time and money by the other owners or by the City on an issue that is judicially resolved.. This could be done by requesting the Rent Board to adopt the Courts' interpretation of Ordinance 1093 .

The amount of money involved could easily exceed \$100,000 for owners and at least an equal sum by the city. Aren't there better ways to spend our money and time?

We urge the City Council to act on this issue.

Sincerely,

James W. Headley &
Pepita Soto

8-169
Consent Communication#19

A communication was received from James Headley and Pteita Soto regarding Ordinance 1093 (Amnesty Ordinance) Ruling against Rent Control Committee.

In City Council April 25, 1994

Referred to City Mgr. for report back w/in 30 days.