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September 21, 1994

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TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

CAMBRIDGE MA.

RE: Proposal to end condo evictions in Rent Control and 1969-1983 (HUD) Housing

It is my understanding that the Name of the Week Club under who-knows-what-name is submitting legislation to protect Cambridge Tenants in the event of passage of Proposition 9. Possible front names are Cambridge Tenants Union and CEOC.

Enclosed is a resubmittal of a package which, in all decency and humanity, should be non-controversial. The only thing which has kept this package from being extremely minor has been the never explained ruthless, destructive behavior of Name-of-the-Week Club people best know as "leaders" of the Cambridge Tenants Union.

The worse of the two "tenant leaders" was also a highly visible officer of a landlord corporation which spent \$180,000 ruthlessly attacking the rent control rights of its tenants. All of the "tenant leader"'s attacks on the tenants lost. Documentation of those expenses has previously been provided you.

It seems only fitting that these homes be protected by the enclosed legislation at the same time that the city council implements Name-of-the-Week Club initiatives which would protect the homes of "tenant leaders" who have so ruthlessly fought for tenant evictions. These "tenant leaders" have never once stated why they demand and have fought for the eviction of these tenants. Their evictions could start quickly.

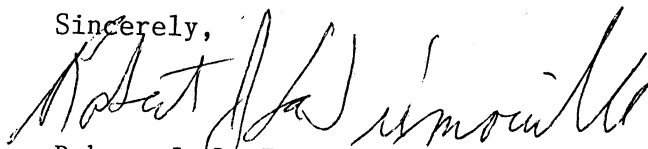
The enclosed provisions would correct the absurd interpretation of the Transition Exemption by RCB staff and Board which authorizes eviction of all tenants in Buildings with pre-August 1979 condo papers even if those papers are nothing but not-for value transfers among converters. The enclosed provisions would prevent further evictions while protecting innocent buyers who relied on certificates of exemption issued by Board staff which should not have been issued by Board staff.

The enclosed provisions would also give tenants in housing constructed from January 1, 1969 to 1983 as much rights as tenants everywhere else in Massachusetts under the state condo conversion act. Almost all affected tenants would be HUD tenants. This includes rights for local approval of greater protections than those stated in the general provisions of the state act. This additional power is allowed all communities. This power could include strong condo conversion protections such as the removal ordinance protecting rent control tenants.

HUD and other tenants living in 1969-1983 housing are presently not protected under the state statute for two reasons: (a) apparent disinclination of the state to write language which could, if not properly drafted, interfere with existing protections; (b) never explained, ruthless, destructive behavior by the two "tenant leaders" extending over 11 years. The language includes modifications to ensure legality under the 1990 federal legislation concerning regulation of condo conversions of HUD housing.

Passage of these items is a matter of decency and honor.

Sincerely,


Robert J. La Tremouille

Enclosure 1, Proposal

1. HUD Tenants and similarly situated, post-rent control through 1983 housing:

a. State Condominium Conversion Statute.

Amend chapter 527 of the Statutes of 1983, as amended, by deleting the period at the end of the third unnumbered paragraph of Section 2, and inserting the following in place thereof:

, except that this act, including but not limited to the local legislative powers granted hereby, shall apply in the City of Cambridge to rental units the construction of which was completed on or after January one, nineteen hundred and sixty-nine, or which are housing units created by conversion from a non-housing to a housing use on or after said date and prior to January nineteen hundred and eighty-four. "Rental Units" as used in the immediately preceding sentence shall be defined as stated in Section 3(a) of the Chapter 36 of the Acts of 1976 as amended. "Rental Units" controlled by this act in the City of Cambridge shall be the "Controlled Rental Units" subject to said Chapter 36 of the Acts of 1976 as amended, as defined in section 3(b) thereof exclusive of Section 3(b)(2). To the extent that units receiving any or all of the benefit of this act are restricted by this act in communities other than the City of Cambridge, these definitions, in the City of Cambridge, shall replace any and all such contrary provisions elsewhere in this act. Administration of this act in the City of Cambridge shall be by the Cambridge Rent Control Board in accordance with the provisions of said Chapter 36 of the Acts of 1976 as amended.

b. Cambridge Rent Control Act.

Amend Chapter 36 of the Acts of 1976, as amended, by inserting a new sentence immediately following the first sentence of Section 5 (1), so that, with this insertion, the first two sentences read:

This act shall be administered by a rent control board. Said rent control board shall also administer chapter 527 of the Statutes of 1983 as amended, insofar as it is applicable in the City of Cambridge.

2. Proposed removal ordinance change.

Amend Chapter 8.44 of the Cambridge Municipal Code by amending section 8.44.020.D.6,

- a. by inserting therein after the first "August 10, 1979,": "and which has been once legally occupied by the unit owner prior to January 1, 1993." and
- b. by deleting the balance of that sentence so that the paragraph picks up again with the last sentence,

as a result of which said section reads as follows:

"Removal from the market" does not include occupancy of . . . a condominium unit as to which it can be shown with respect to its initial sale after the recording of the master deed that a purchase and sale agreement has been entered into prior to August 10, 1979, and which has been once legally occupied by the unit owner prior to January 1, 1994. No condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

Consent Comm. # 2

Comm. from Robert LaTremouille
regarding a proposal to end condo
evictions in Rent Control and
1969-1983 (HUD) Housing.

S-404

In City Council,

Sept. 26, 1994

Placed on file