

September 17, 1990

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CAMBRIDGE MA.

Mr. Terrence Morris
Executive Director,
and Members of the Rent Board
Cambridge Rent Control
Mass Ave. Cambridge, Ma 02139

This letter is in support of your proposed regulation allowing owners to accept money for the use and occupancy of their rent controlled apartments by people of non-tenant status.

Without this vital regulation, we are faced with a devastating loophole: Although we have received a Superior Court judgement affirming a Ruling of Rent Control, October 18, 1989 (EVO 89 024), allowing us to regain possession of our 2nd floor apartment (being occupied by an un-approved sub-tenant), this non-tenant plans, yet again, to appeal that decision. Another appeal will cost us several thousand dollars and another two years before we can live peacefully in our own home! Further, without this regulation, Mr. non-tenant is encouraged to withhold payment for occupancy (which he is doing naturally) and continue to appeal since we are paying for the legal fees incurred by him while he lives free of cost under our roof. He knows that he can get away with this because without the passage of your proposed regulation, if we receive a judgement in Small Claims Court ordering this man to pay for use and occupancy of our apartment, we could unwittingly invalidate our efforts and legal costs to regain possession of the apartment over the past two and 1/3 years!

We are entitled to a monthly income for the apartment under Cambridge Rent Control, however, without this regulation to enforce payment for occupancy, we are not allowed to collect the money which rightfully belongs to us. Please act quickly on this regulation, and close the loophole that encourages abuse of Rent Control as well as abuse of property owners who are required to pay their mortgage, taxes, water, utilities and other bills regardless of the fact that they are being robbed.

Sincerely,

Amy and Shawn Flanagan
Amy and Shawn Flanagan

P.S. At our July 1990 hearing in Superior Court, we were "offered" by this non-tenant's attorney to settle by paying him \$10,000, and allowing him to have a roommate until January 1991!!! This is extortion but it seems to be accepted practice under rent control. By next July, while his appeal is pending, he will have stolen \$6,000 out of the \$10,000 that he demanded. Please don't protect thieves in the name of Rent Control; this regulation is needed to curtail criminal behavior.

cc: City Council Members, c/o City Clerk
Rent Control Sub-committee; Vice Mayor Reeves, Chairperson

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S- 9/15

Comm. from Amy & Shawn Flanagan, in support
of a REnt Control Regulation allowing owners
to accept money for the use and occupancy
of their rent controlled apartments by
people of non-tenant status.

In City Council,

Sept. 24, 1990

*Referred to the
Rent Control
Committee
Copy sent to Rent Control
Committee 10/11/90 [initials]*