



# City of Cambridge

49.

## IN CITY COUNCIL

May 10, 1999

COUNCILLOR BORN  
COUNCILLOR DAVIS  
MAYOR DUEHAY  
COUNCILLOR RUSSELL  
COUNCILLOR TRIANTAFILLOU

WHEREAS: The City Council recognizes a housing emergency in the shortage of affordable housing in the City of Cambridge as set forth in its resolution dated February 1, 1999; and

WHEREAS: The City Council is aware that there is currently pending before the Judiciary and HUD Committees of the state legislature several bills seeking to amend M.G.L. c. 239, S8A to require mandatory rent escrowing and other procedural requirements before a tenant could defend themselves in a summary process actions based on substantial violations of the State Sanitary Code; and

WHEREAS: It is the concern of the City Council that this would cause increased homelessness and further aggravate the shortage of affordable housing in the City; and

WHEREAS: It is our understanding that several of these bills would require mandatory inspections by the Department of Inspectional Services in order for any tenant to raise a claim of bad conditions; and

WHEREAS: The Department of Inspectional Services has limited staff and a very large caseload and would be overburdened by a large increase in demand for their services; now therefore be it

RESOLVED: That the City Council opposes the passage of pending legislative which would make rent escrow a mandatory requirement in summary process cases and would place other procedural restrictions on tenants' ability to raise substantial defenses and counterclaims in summary process actions.

In City Council May 10, 1999.

Adopted by the affirmative vote of five members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink that reads "D. Margaret Drury".

D. Margaret Drury, City Clerk

VICE MAYOR GALLUCCIO AND COUNCILLOR TOOMEY RECORDED PRESENT.

05/06/99 THU 13:49 FAX

CASLS

002

*to Board?*

## Cambridge and Somerville Legal Services

432 Columbia Street, Suite 16 • Cambridge, Massachusetts 02141 • Telephone (617) 494-1800 • TDD 494-1757 • Fax 494-8222

May 6, 1999

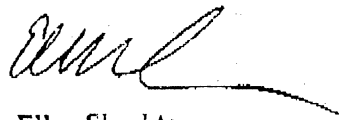
Members of the City Council  
City Council  
City Hall  
Cambridge, MA 02139

Dear Members of the City Council:

On behalf of the Cambridge Economic Opportunity Committee, Cambridge and Somerville Legal Services introduces and urges passes of the attached resolution. It is our hope that the City Council will take action to prevent the passage of statewide legislation that will lead to increased tenant displacement and homelessness among the city's poor and middle income families.

Thank you for your consideration of this Proposed Resolution.

Sincerely,



Ellen Shachter

cc: Laura Booth, CEOC





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49.

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WHEREAS: It is the concern of the City Council that this would cause increased homelessness and further aggravate the shortage of affordable housing in the City; and

WHEREAS: It is our understanding that several of these bills would require mandatory inspections by the Department of Inspectional Services in order for any tenant to raise a claim of bad conditions; and

WHEREAS: The Department of Inspectional Services has limited staff and a very large caseload and would be overburdened by a large increase in demand for their services; now therefore be it

RESOLVED: That the City Council opposes the passage of pending legislative which would make rent escrow a mandatory requirement in summary process cases and would place other procedural restrictions on tenants' ability to raise substantial defenses and counterclaims in summary process actions.

In City Council May 10, 1999.

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Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "D. Margaret Drury".

D. Margaret Drury, City Clerk

VICE MAYOR GALLUCCIO AND COUNCILLOR TOOMEY RECORDED PRESENT.

# City of Cambridge

MASSACHUSETTS

In City Council 5/10, 1999

KB Supervision of the Rules to Buy Food Ord # 49  
Re Opposing Rent Escrow

| YEA | NAY | ABSENT | PRESENT |                             |
|-----|-----|--------|---------|-----------------------------|
|     |     |        |         |                             |
| ✓   |     |        |         | Ms. Kathleen L. Born        |
| ✓   |     |        |         | Ms. Henrietta Davis         |
| ✓   |     |        |         | V. Mayor Anthony Galluccio  |
|     |     | ✓      |         | Mr. Kenneth E. Reeves       |
|     | ✓   |        |         | Ms. Sheila T. Russell       |
|     |     | ✓      |         | Mr. Michael A. Sullivan     |
| ✓   |     |        |         | Mr. Timothy J. Toomey, Jr.  |
|     | ✓   |        |         | Ms. Katherine Triantafillou |
| ✓   |     |        |         | Mayor Francis H. Duehay     |

① 5 2 2

② 6 1 2

05/06/99 THU 13:48 FAX

CASLS

0003

BORN - Order # 3

(49)

WHEREAS: The City Council recognizes a housing emergency in the shortage of affordable housing in the City of Cambridge as set forth in its resolution dated February 1, 1999; and

WHEREAS: The City Council is aware that there is currently pending before the Judiciary and HUD Committees of the state legislature several bills seeking to amend M.G.L. c. 239, §8A to require mandatory rent escrowing and other procedural requirements before a tenant could defend themselves in a summary process actions based on substantial violations of the State Sanitary Code; and

WHEREAS: It is the concern of the council that these proposed laws would make it extremely difficult for tenants to raise legitimate and critical defenses in eviction actions especially where tenants have language and cultural barriers; and

WHEREAS: It is the concern of the Council that this would cause increased homelessness and further aggravate the shortage of affordable housing in the City; and

WHEREAS: It is our understanding that several of these bills would require mandatory inspections by the Department of Inspectional Services in order for any tenant to raise a claim of bad conditions;

WHEREAS: The Department of Inspectional Services has limited staff and a very large caseload and would be overburdened by a large increase in demand for their services;

THEREFORE BE IT RESOLVED: That the City Council opposes the passage of pending legislative which would make rent escrow a mandatory requirement in summary process cases and would place other procedural restrictions on tenants' ability to raise ~~substantive~~ defenses and counterclaims in summary process actions.

Substantial

05/06/99 THU 13:48 FAX

CASLS

002

*to Board #2 #49*

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May 6, 1999

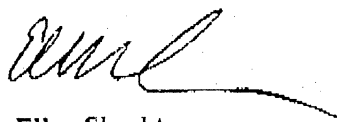
Members of the City Council  
City Council  
City Hall  
Cambridge, MA 02139

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Sincerely,



Ellen Shachter

cc: Laura Booth, CEOC





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May 10, 1999

### COUNCILLOR BORN

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**RESOLVED:** That the City Council opposes the passage of pending legislative which would make rent escrow a mandatory requirement in summary process cases and would place other procedural restrictions on tenants' ability to raise substantial defenses and counterclaims in summary process actions.

11  
Consent Order #49

345  
Councillor Born re: oppose pending legislature  
that would manddate rent escrowing  
and other procedural requirements before  
a tenant could defend themselves in a  
summary process actions based on  
substantial violations of the State  
Sanitry Code.

In City Council May 10, 1999

**ORDER ADOPTED**