



City of Cambridge

Calendar Item # 7
AMENDED ORDER
IN CITY COUNCIL

May 6, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions; and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal; and

WHEREAS: As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants; and

WHEREAS: The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board, and final development and referral back to the City Council for final approval and the development of home rule legislation; said report due on or before July 29, 1991:

1. Annual funding shall be in the amount of approximately one million dollars.
2. A surcharge, fee or other levy shall be paid by non-exempt rent control tenants based upon a percentage of monthly rent, and paid monthly to the landlord, along with the tenant's rent.
3. The percentage of rent which is to be charged shall be determined by the Rent Control Board based upon a review of the existing profiles of tenants per data available to the Rent Control Board, and other City agencies.
4. Exemptions are to be granted to those tenants whose ability to pay the fee is administratively determined to be limited. Proposed exemptions include:
 - a. Those tenants living on fixed incomes, such as persons receiving public assistance, the elderly and the disabled;
 - b. In addition, it is proposed that exempt income classifications be developed for various family sizes.

5. It is proposed that any model adopted by the Rent Control Board be one which focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee; now therefore be it

RESOLVED: That vacant units that are rehabilitated or remodeled through the use of the Affordable Housing Preservation fund be listed with the Housing Access Office thus allowing access for the elderly, the disabled and low income; and be it further

RESOLVED: That a plan for the administration process which is clear and efficient, and represents minimal burden to tenants and landlords be presented to the City Council as part of the report, and that a clear procedure for exemptions be outlined which is not burdensome and that steps for outreach to members of the public be seriously defined; and be it further

RESOLVED: That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and report back to the City Council for its final approval; and be it further

RESOLVED: That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

In City Council May 6, 1991.
Adopted as amended by a yeas and nays vote:
Yeas 8; Nays 1; Absent 0.
Attest:- Joseph E. Connarton, City Clerk.

A true copy; 
ATTEST:-

Joseph E. Connarton, City Clerk



City of Cambridge

CALENDAR ITEM # 7

ORIGINAL ORDER

--26--

IN CITY COUNCIL

~~April 8, 1991~~

May 6, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions; and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal; and

WHEREAS: As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants; and

WHEREAS: The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board, and final development and referral back to the City Council for final approval and the development of home rule legislation:

1. Annual funding shall be in the amount of approximately one million dollars.
2. A surcharge, fee or other levy shall be paid by non-exempt rent control tenants based upon a percentage of monthly rent, and paid monthly to the landlord, along with the tenant's rent.
3. The percentage of rent which is to be charged shall be determined by the Rent Control Board based upon a review of the existing profiles of tenants per data available to the Rent Control Board, and other City agencies.
4. Exemptions are to be granted to those tenants whose ability to pay the fee is administratively determined to be limited. Proposed exemptions include: a) Those tenants living on fixed incomes, such as persons receiving public assistance, the elderly, and the disabled; b) In addition, it is proposed that exempt income classifications be developed for various family sizes.
5. It is proposed that any model adopted by the Rent Control Board be one which

focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee; now therefore be it

RESOLVED: That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and report back to the City Council for its final approval; and be it further

RESOLVED: That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.



City of Cambridge

26.

IN CITY COUNCIL

April 8, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions; and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal; and

WHEREAS: As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants; and

WHEREAS: The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board, and final development and referral back to the City Council for final approval and the development of home rule legislation: *sa-Q report due on or before July 29, 1991*

Walsh

1. Annual funding shall be in the amount of approximately one million dollars.
2. A surcharge, fee or other levy shall be paid by non-exempt rent control tenants based upon a percentage of monthly rent, and paid monthly to the landlord, along with the tenant's rent.
3. The percentage of rent which is to be charged shall be determined by the Rent Control Board based upon a review of the existing profiles of tenants per data available to the Rent Control Board, and other City agencies.
4. Exemptions are to be granted to those tenants whose ability to pay the fee is administratively determined to be limited. Proposed exemptions include: a) Those tenants living on fixed incomes, such as persons receiving public assistance, the elderly, and the disabled; b) In addition, it is proposed that exempt income classifications be developed for various family sizes.
5. It is proposed that any model adopted by the Rent Control Board be one which

C. Myers

Resolved: that a ~~clear~~ ^{plan for the} administrative
process which is clear and efficient, and
represents minimal burden to tenants
and landlords be presented to the
City Council as part of the report,
and that a ~~clear~~ clear procedure
for exemptions be outlined, ^{which does not entail} and that ^{any} ^{steps} ^{for} ^{outreach} ^{to} ^{members} ^{of}
the public be ^{seriously} defined; ^{now therefore}
be it

Resolved.

which is
not burdensome

Friendly Amendment
(Ruled 5-1 chair.)



City of Cambridge

31.

IN CITY COUNCIL

April 8, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It was brought to the attention of the Rent Control Sub-Committee that the so-called transition amendment, created in 1979 to protect eleventh-hour purchasers of condominiums in rent-controlled buildings, has been so broadly interpreted as to be the source of evictions and eviction threats to tenants living in controlled rental condominiums; and

WHEREAS: It is the sense of the Sub-Committee that clarification of this portion of Ordinance 966 would end the limbo faced by tenants living in affected units; now therefore be it

RESOLVED: That this City Council request the City Manager and Rent Control Board to look into amending the language of Ordinance Number 966 to require that after the recording of the master deed a purchase and sale agreement on affected units has been entered into prior to August 10, 1979, and that the unit has been once legally owner-occupied prior to May 1, 1990, and that no condominium unit once legally occupied by the unit owner shall ever again be subject to this section for any reason.

focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee; ~~now therefore~~ ^{and} be it

RESOLVED: That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and report back to the City Council for its final approval; and be it further

RESOLVED: That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

Tooney
Resolved: That ^{vacant} units that are rehabilitated or remodeled through ^{the} use of the Affordable Housing Preservation fund be listed with the Housing Access Office ^{as allowing} ~~and~~ access for the elderly, the disabled and low income. ~~and be it further~~ ~~and therefore be it~~

Myers →

Adopted AS Amended
Roll Call
8-1-00

City of Cambridge

MASSACHUSETTS

In City Council May 6 1991

C. Toomey Amendment #26 Dated 4/8/91 -

Substitute for points 4 and 5 in the fourth Resolved the following wording:
 "That a feasibility study be conducted on an excise or fee levied on upper income tenants in rent control units but exempting elderly, disabled and low income tenants (25% of income plus on rent)"

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

4 5

Fail(s).

City of Cambridge

MASSACHUSETTS

In City Council May 6 1991

C. Russell

Amendment to Order #26 Dated 4/8/91

	<i>to Exempt Families members as Defined</i>			
	<i>of the Rent Control Act. (In the fourth whereas</i>			
	<i>part of 4b.)</i>			
	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr				✓
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	1	✓		
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

3

5

1

Failed of Adoption

City of Cambridge

MASSACHUSETTS

In City Council May 6 1991

C. Walsh

Amendment to Order # 26 Dated 4/8/91

Re: Report to be filed by July 29, 1991

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

7

2

City of Cambridge

MASSACHUSETTS

In City Council May 4 199

C. Walsh - Amendment to Ord. # 26 Date 0.4.8.91

	<u>Landlord Not Required to Collect Tax</u>			
	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

4 5

Failed by Adoption

City of Cambridge

MASSACHUSETTS

In City Council May 6 199 1

C. Walsh

Amendment to Ord # 26, Dated 4/8/91

*Tenants Not be exempted if own other local units
I'm out of Cambridge*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

4

5

False

City of Cambridge

MASSACHUSETTS

In City Council May 6, 1991

C. Walsh

Amendment to Ord. #26 Dated 4/8/91

	<i>Any Statements signed Relative to Exemptions Be Signed Under Pain and Penalty of Perjury</i>			
	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr		✓		
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf		✓		

4 5

Failed of Adoption

City of Cambridge

MASSACHUSETTS

In City Council May 6 1991

C. Cyr

*Amendment to Scribe Section 5
in the Fourth Whereas.*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay		✓		
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves		✓		
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

4

5

Failed

City of Cambridge

MASSACHUSETTS

In City Council May 6 1991

G. Gormley *Amendment - These lands that avail themselves of the funds be required to list units with Housing Access Office and be rented to elderly, disabled and low-income.*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers		✓		
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf	✓			

8 1

City of Cambridge

MASSACHUSETTS

In City Council Mar, 6 1991

C. Cyr

Order # 26, Dated 4/8/91 as Amended

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓ ⁽²⁾	4 ⁽¹⁾		
Mr. Timothy J. Toomey, Jr.		✓		
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf	✓			

*7
8* *2
1*



City of Cambridge

26.

IN CITY COUNCIL

April 8, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions; and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal; and

WHEREAS: As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants; and

WHEREAS: The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board, and final development and referral back to the City Council for final approval and the development of home rule legislation:

1. Annual funding shall be in the amount of approximately one million dollars.
2. A surcharge, fee or other levy shall be paid by non-exempt rent control tenants based upon a percentage of monthly rent, and paid monthly to the landlord, along with the tenant's rent.
3. The percentage of rent which is to be charged shall be determined by the Rent Control Board based upon a review of the existing profiles of tenants per data available to the Rent Control Board, and other City agencies.
4. Exemptions are to be granted to those tenants whose ability to pay the fee is administratively determined to be limited. Proposed exemptions include: a) Those tenants living on fixed incomes, such as persons receiving public assistance, the elderly, and the disabled; b) In addition, it is proposed that exempt income classifications be developed for various family sizes.

5. It is proposed that any model adopted by the Rent Control Board be one which focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee; now therefore be it

RESOLVED: That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and report back to the City Council for its final approval; and be it further

RESOLVED: That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

REFERRED TO THE CALENDAR

CITY COUNCIL ORDER
VICE MAYOR REEVES

APRIL 4, 1991

26

Affordable Housing Preservation Fund

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions, and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal, and

WHEREAS: As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants, and

WHEREAS: The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board: *final development* ~~and then~~ *report back to the City Council for final approval and the development of appropriate home care legislation.*

1. Annual funding shall be in the amount of approximately one million dollars.

2. A surcharge, fee or other levy shall be paid by non-exempt rent control tenants based upon a percentage of monthly rent, and paid monthly to the landlord, along with the tenant's rent.

3. The percentage of rent which is to be charged shall be determined by the Rent Control Board based upon a review of the existing profiles of tenants per data available to the Rent Control Board, and other City agencies.

4. Exemptions are to be granted to those tenants whose ability to pay the fee is administratively determined to be limited. Proposed exemptions include: a) Those tenants living on fixed incomes, such as persons receiving public assistance, the elderly, and the disabled; b) In addition, it is proposed that exempt income classifications be developed for various family sizes, ~~for example: *1 person \$15,000 or below, 2 persons \$25,000 or below, 3 persons - \$32,000 or below, etc.~~ *The exemption limits cited herein are cited solely for the purpose of providing an example of how exemptions can be developed based upon family size and ability to pay a surcharge or fee in addition to the rent controlled unit.*

5. It is proposed that any model adopted by the Rent Control Board be one which focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee, therefore be it

*Kern
Rent
Remission*

RESOLVED:

That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and ~~be it~~ *report back to the City Council for approval*

RESOLVED:

That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

CITY COUNCIL ORDER
VICE MAYOR REEVES

APRIL 4, 1991

Affordable Housing Preservation Fund

- WHEREAS:** It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions, and
- WHEREAS:** It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal, and
- WHEREAS:** As part of an integrated housing policy to assure affordability, preserve available housing, and spur new construction, it is the sense of this City Council that an Affordable Housing Preservation Fund be established for the purpose of providing loan and grant funds for rent controlled buildings which are "at risk" and which principally house low-income tenants, and
- WHEREAS:** The establishment of such a fund requires additional conceptualization with respect to its precise mechanics, the following framework is proposed for review and implementation by the Cambridge Rent Control Board, and final development and referral back to the Cambridge City Council for final approval and the development of home rule legislation:
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 5. It is proposed that any model adopted by the Rent Control Board be one which focuses upon exempt tenants filing an affidavit of exemption with the Rent Control Board and where all non-exempt tenants will be assessed the fee, therefore be it
- RESOLVED:** That the Cambridge Rent Control Board, with the participation of the Rent Control Department, City Manager, and relevant City

Departments, confirm an administrative plan which will effect the recommended Affordable Housing Preservation Fund, and report back to the City Council for its final approval, and be it further

RESOLVED:

That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

(SANDY -- PLEASE NOTE THAT THIS IS A REVISED AND FINAL VERSION OF ONE WITH THE SAME TITLE SENT EARLIER TODAY)

KENNETH E. REEVES
ATTORNEY AT LAW
BULFINCH SQUARE
43 THORNDIKE STREET
CAMBRIDGE, MASSACHUSETTS 02141
(617) 225-2620

FAX NO.: 617-494-1745

Telecopy to:

Name: Sandy Albano
Firm: City Council

From:

Name: REEVES/KASTNER
Date: 4/4/91
Number of pages (including this page) ~~5~~ 3

Comments/Special instructions:

~~_____~~
Revised version of order of
same title sent earlier (Don Myers
may have already given you this
revision - but we'd appreciate it
if you could double check
- THANK YOU!!!)



City of Cambridge

26.

IN CITY COUNCIL

April 8, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: It is clear that the City of Cambridge must have a program and policies which support affordable rents and habitable living conditions; and

WHEREAS: It is further clear that the issue of habitability is in a sphere extending beyond traditional debate regarding affordable rents. It is therefore recommended that the City policy focus upon the long term serviceability of the affordable housing stock and use an integrated resource approach to achieve this goal; and

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RESOLVED: That ample opportunity be provided to rent control tenants and others to comment upon the fee and administrative structure. A series of neighborhood meetings may be particularly beneficial in explaining the purpose of the fee, and the mechanics of its administration.

Cal # 7

Order # 26

S-584

NON-CONSENT

Vice Mayor Reeves and Councillor Myers
re: Affordable Housing Preservation
Fund.

In City Council,

April 8, 1991

*Referred to the
Calendar*

*5/6/91 Order adopted
as amended*

8-1-0