19 police recruits begin training here

The Francis A. Pisani Cambridge Police Academy recently began the 1987 training program with 19 new recruits, and three additional trainees who will work as security officers for local colleges.

The Cambridge Police Academy program runs for 14 weeks, ending on September 11. The academy director is Captain Henry Breen, and the schedule includes a variety of class instructors, such as Sarah Wunsch, executive director of the Human Rights Commission.

According to Breen, some 800 people took the civil service exam to seek qualifications by Cambridge's Police Department. Five minorities were accepted into the program, and three recruits were not accepted because they failed physical exams. At least one of these was a woman.

The exams are given by the Department of Personnel and Administration. In addition, the Criminal Justice Training Council sets standards and certifies municipal police academies.

The recruits include: John Albert, Paul Ames, Alexander Colovos, George Donovan (MIT), Gary Edwards, David Fimiani, Andrew Fyvie (Tufts), Stanley Gedaminsky, Anthony Grassi, Frank Greenridge, Calvin Cantor, Shawn Keough, Paul Langston (Tufts), Richard Lauziere, Robert Leary. Donald Lucey, Michael Maffei, John Normile, Jeffrey Pearson, William Russell, Christopher Samuel, and Joseph Wilson.

Cantor is the son of Cambridge Police Lt. Calvin Cantor.

—*JANE THURMAN*

APPRECIATED — More than 200 students in the English as a Second Language program were honored recently at the Maynard School. Above, keynote speaker Sara Garcia, right, a member of the city school committee, chats with students Gaby Vargas and Melida Vasquez.

Births

At Winchester Hospital

To Mr. and Mrs. Paul Cardoso of Winchester, a daughter, Katrina, born April 27. Grandparents are Mr. and Mrs. Arthur Alford Jr. of Cambridge and Mr. John Cardoso of Cambridge.

To Michele (Pallotta) and John J. Cronin Jr. of Weymouth, a daughter, Alison Michele, born April 21. Grandparents are Mr. and Mrs. Joseph G. Pallotta of Scituate and Mrs. Abigail Cronin of Cambridge.

At The Malden Hospital

To Doreen (Brown) and Matthew Metz of Somerville, a son, Matthew Arnold, born February 1. Grandparents are Fredrick and Millie Brown of Charlestown and Gladys Metz of Allston.

To Pamela Pacelli and Robert Cooper of Cambridge, a daughter, Samantha Lucia Isabel, born March 27. Grandparents are Gloria Hunt of Chicago, Ill., Albert Pacelli of Chicago and Mr. and Mrs. Robert M. Cooper of Memphis, Tenn.

To Rosanne (Hall) and Weiming Tu of Cambridge, a daughter, Marianna Meiling Brooks, born March 28. Grandparents are Mary Anne and Carter Hall of Marlboro, Md and Wellington and Sonia Tu of Albany, CA.

City delegation visits Salvador

A delegation of 14 people, including representatives of city agencies, doctor, teachers and church members left this week for El Salvador to visit the town of San Jose las Flores which was recently adopted by Cambridge as a Sister City.

The delegation will be in El Salvador from June 17 through 27 and will take part in ceremonies marking the first anniversary of the repopulation of las Flores.

Members of the delegation include Nancy Ryan, executive director of the Cambridge Commission on the Status of Women; Cathy Hoffman, executive director of the Cambridge Commission on Peace and Nuclear Disarmament, Dr. Pable Farias of Cambridge Hospital and Clark Taylor a professor at the University of Massachusetts at Boston College of Public and Community Service.

The celebration, which will be held in las Flores on June 20, marks a year since former residents of the town moved home in June 1986. They had been forced to leave by the Salvadoran army in 1983 as part of the military's effort to empty the countryside of possible supporters of the guerilla army called the FMLN. In June 1986, 110 former residents moved back, without official permission and started to rebuild the village. Since then, las Flores has become a symbol in El Salvador where some experts estimate as much as one fifth of the total population has been displaced by the civil war. The las Flores experiment has sparked half a dozen similar attempts by refugees to return to their homes. Villagers hope that 40-50 North Americans and 200 Salvadorans from different sectors of society will attend the celebration.

Members of the Sister City Committee, which first proposed the affiliation between the two communities, say that the villagers have made great progress in rebuilding las Flores in the past year.

The delegates hope their visit will help protect the village. "The people of las Flores invited Cambridge to be a Sister City because they believe that knowledge about their situation in North America is the best guarantee of their safety," said delegation member Julia Wallace,

Norton resigns from history society post

By Jane Thurman
Staff writer

Bettina "Toni" Norton has resigned as director of the Cambridge Historical Society, effective in two weeks, because of "differences in approach."

Norton, 50, has been director of the society for four years. She was instrumental in setting up new programs to increase awareness of Cambridge's architectural history to residents, such as the Cambridge Trivia Hunt.

The Cambridge Historical Society is 82 years old and has been located at the Hooper-Lee-Nichols House at 159 Brattle St. since 1957.

The society membership increased from 200 to 460 members while Norton was director. Norton also ran events for children, such as the Dolls and Stuffed Animals Tea Party, and this year included children from local public and private schools in the third annual Trivia Hunt.

According to Charles Sullivan, president of the Cambridge Historical Society since 1986, and executive director of the Cambridge Historical Commission, the purpose of the society is to "bring history to people on their own level, not just to glorify Brattle street or Tory Row."

"Toni has been instrumental in helping the society to broaden its reach," added Sullivan. "The society has every intention of continuing the programs Toni has begun."

Norton has worked for the Boston Public Library, the Boston Athenaeum, and the Essex Institute of Salem, and has written two books.

Editorial

For the Common good

The city council acted wisely this week in establishing guidelines for the city administration to approve or deny permits to various groups to use Cambridge Common.

Although concern on the matter was most recently sparked when Deputy City Manager Richard Rossi denied a permit for a street performers' festival on the Common, the issue has cropped up with regularity for years.

While the city rightly wants to maintain the area's availability to the public, there have been problems in the past when various groups have been granted permits to hold events there. In the past, vehicles have left deep tread-marks in the ground and the area has been left befouled with litter.

Mistreatment of the Common has led the city to be more restrictive of its use in recent years. But with guidelines established by policy, the city will be able to make sure this historic park will remain available for the public's enjoyment for many years to come.

Misplaced protest

It's no secret that many people have deep and legitimate concerns about development in Cambridge.

But there are times when public protest is misplaced.

This week, the "Chronicle" and other area newspapers received unsigned letters protesting the University Park plan for the so-called Simplex property in Cambridgeport. The letter decried the parking problems the project would cause.

The problem with the letter was that it was sent to the newspapers along with 52 parking tickets taken from the windshields of cars illegally parked near Harvard Square on Thursday, June 11.

The twisted logic behind the protest, according to the letter, was to "make an example of a city's parking policy gone goo-goo."

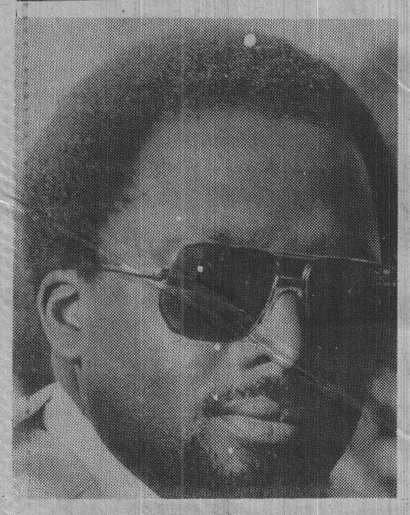
Bill Cavellini of the Simplex Steering Committee, a group which has worked ardently and with obvious sincerity to effect a plan which protects Cambridgeport from the impact of University Park, totally denounces this action and we join him in that condemnation.

Punishing unknowing visitors to Harvard Square, who won't even known they've been ticketed for another 21 days, is hare-brained and malicious and, most of all, represents terribly misplaced hostility.

Letters to the editor are due Monday at 5 pm.

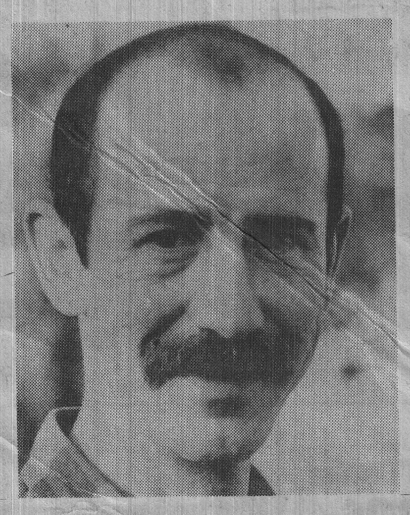
Talking heads

This week, staff Photographer Carolyn Hine asked passersby if they supported the concept of mandatory AIDS testing.



For marriage, I think it's a good idea to have that test, especially if you haven't known each other for a long time. But in terms of testing for a job, I don't believe in that, only if there's some cause to believe that a person has AIDS.

Steve Harris
Western avenue



I do think people should be tested. How are you going to stop it? It will help find out who has it.

Jim Nerpouni
Washington street

I'm not against (Boston) Mayor (Raymond) Flynn mailing out information on AIDS. It makes people more aware, but I'm against the mandatory AIDS testing, especially the testing of new immigrants.

Mimose Stecher
Cambridge

No. I think it's discriminatory, abusive, an offense to civil rights. What we really need is sexual education.

Amy MacDonald
Norfolk street

Letters to the editor

Grateful

The Cambridge Youth Soccer League would like to express appreciation to all of the businesses, families, and individuals who sponsored teams for the Spring '87 season. Thanks to their generosity, another great soccer season is being enjoyed by hundreds of Cambridge youth.

This season's sponsors are: Chapin's Market, Evergood Market, Fresh Pond Market, Details, Photoquick, Delta Tau Delta fraternity at Tufts University, Larry Weinstein, Central Surplus, Draper Labs, William Walsh, Lotus Development, Alice Wolf, Pomco, Harvard Univ., Boundaries, Ace Wheelworks, Cambridge Trust, Henry Bear's Park, Eastdesign Architects, HMFH Architects, Tufted Tapestree Tuftss, Cambridge Patrolmen's Association, Irwin's, Cambridge Elks, Brine's, Plough and Stars, Cooperative Garage, The Children's Workshop, City Lights, Riverside Management, and Adventures Arapahoe Construction Company.

If you or your business would like to sponsor a team for the fall season, please contact me at 661-1256.

Diane A. Weinstein,
Sponsor coordinator
Cambridge Youth Soccer

Thanks

I would like to express my gratitude at being given the opportunity of coordinating the Early Childhood Community Forums. The dinner forum series was funded by the Chapter 188 Early Childhood Education Discretionary Grant, part of the Public School Improvement Act of 1985.

The forum series, which involved parents and staff from the preschool and elementary school communities, used the rich resource of Cambridge teachers and parents as forum speakers. Their insights and perspectives evoked a dialogue among participants concerning several pertinent early childhood issues, such as school entry age, developmentally appropriate curriculum, children's transition into kindergarten, and parent communication and involvement.

Many thanks go to the people whose efforts and cooperation facilitated these events: to Joe Petner, director of the Follow Through Program, as a tireless resource and source of support, to Patty Hnatiuk, Brooke Stark, Lucy Stroock, Sati Singh and Jackie Neel, for their work in putting together the forums, to the many people in the School Department who kindly and rapidly facilitated paperwork and deadlines, to the Teacher Resource Center and Enterprise Coop staff, to Margaret Gallagher and the Parent Liasons throughout the city, and to the Early Childhood Advisory Council who launched this forum series. A special thank you goes to the Cambridge-Somerville Child Care Alliance for their generous donation.

I look forward to the continuation of the dialogue that has characterized these forums, between preschool and elementary school teachers, between parents and teachers. Our children can only benefit from this communication. Thank you to all involved.

Honey Schnapp
Early Childhood Forums
Coordinator

Casting blame

In reply to the ad honimen statements of Kathleen Puckett (Chronicle, June 4) and the spate of letters that will subsequently follow in this election year, let me reply:

I am a tenant and have lived in the same apartment for the past 26 years as well as having been a resident of mid-Cambridge for some 55 years. I live in a hybrid building of some 32 apartments of which all but four have been condominiums since 1977. Up until some five years ago I knew all my neighbors and they all knew me. Today it is like Grand Central Station with people moving in and out each and every month. Reference is made and alleged that tenants are being subsidized by condo owners and landlords. Since 1975 my rent has increased some 213 percent whereas my salary has increased some 148 percent. (In fact, in one year, 1978, I received five raises in five months). I could tell you horror stories of what occured to some of the people I have known who were displaced due to condominium conversion, people who had lived in this city for 50 years and more but who were unable to buy their apartments as condos but who were forced out by landlords greedy for the buck and were replaced by others who figured that living in Cambridge was that the "free-enterprise" system was their thing and that the hell with the previous occupants. Rent Control was passed in 1971 and modified ever since just because of this cavalier attitude which was nothing but a system of buccaneering.

You get rid of rent control tomorrow the exodus of tenants from Cambridge would look like the ancient Israelites leaving Egypt. I know many people, longtime and lifelong residents of this city, who are still working in their seventies and their eighties not because they desire to do so but because they are paying in many instances up to 50 percent and 60 percent of their income in rent totally without subsidization. They are not public housing tenants they are paying their own way without help from the bureaucratic system which seeks constantly to denigrate them as parasites. As a senior citizen it is not my intention, purpose nor desire to buy a condominium — even if I could afford it. Like thousands of others in this city I pay my rent on time plus the outrageous increases of $35 to $60 and more increase per increase each and every time that they are increased.

What do we do to relieve this present situation? I have several ideas which I now give:

•Get rid of the Human Services system. It does not serve anybody adequately. Witness the homeless people in our streets and those who are being evicted for reasons beyond their control by economic factors that are haywire.

•Why do we need a Sister-City Program with other foreign cities when the citizens of our own city are being forced out or spending beyond their means due to the housing situation inherent in the city at the present time?

•Why are we spending thousands of dollars of an arts Council which puts up ugly monuments as decoration throughout the city, when with the same money we could build true memorials in the form of basic housing for Cambridge citizens?

•Why are we increasing the school budget when the pupil population keeps going down and down for the past five years and more? We need school administrators like a hole in the head. When I went to school and later when I taught at Cambridge High and Latin School we had teachers teaching, not a bureaucracy that divided and subdivided a school population and pupils learned. Now we have destroyed Cambridge High and Latin School (which could have been used for housing purposes) to create an open space park in which is located a dog run for dogs to excrete their wastes. The basic attitude seems to be let the dogs have the city and to hell with the people who reside in it.

•We need a Rent Control Board that is fair to both tenant and landlord. I could not go to my brother's funeral in Washington, D.C. some five years ago, because I had to go to the Rent Control Board to represent the half-dozen elderly tenants in their seventies and eighties in my building who were faced with being hit with increases of some $60 to $75 per month because the Rent Control Board refused to change the date of the hearing; this board seems to have some of the rudest and crudest people that I have ever had the displeasure of meeting and it is about time that some of its members who have been on it for years are replaced. (Thanks to my appearance then, the rent increases were put back to only some $25 to $35 increases instead).

I am not against people buying or living in condominiums. What I'm against is having people coming into this city and trying to force people who are legitimately living as tenants in apartments and who are legally paying their rent forced out of their apartments so that somebody can take it over as a condo just because that person would like to live in Cambridge.

No Ms. Puckett you are not subsidizing me. I pay my rent, I keep out of trouble, I do not cause others to lose their living accomodations. If you want to get rid of Rent Control you have recourse to the ballot. yet, the City Council, when questioned on this score by Councillor Vellucci all stated that they were not in favor of abolishing it.

If you are going to cast blame do not cast it on those who have and are contributing to Cambridge merely because they are tenants placed in a bind not of their own choosing. If you want to change the system do so legitimately without casting aspersions on all of us.

George Saver
Broadway

Thanks

This letter is to thank Councilor Thomas Danehy, North Cambridge, for facilitating a remedy to our immediate housing crisis after we were burned out of our home on Douglas street in Central Square.

My husband and I found ourselves in what has to be one of the most hopeless situations we have ever experienced, combined with four children and a grandchild looking to us for answers. We were tired and discouraged and want to thank Councilor Danehy for his relentless efforts to obtain our immediate shelter. Gratefully, we were finally able to put up our feet and think what to do next.

Robert Scott family
Cambridge

Grateful

To Patrick Ewing:

We would like to thank you for your generous contribution to the Hoyt Teen Center. Without your support we would have been unable to sponsor a successful basketball league and provide educational and informational programs. your commitment to the community and your heartfelt concern for youth is deeply recognized.

Hoyt Teen Center

Cambridge Chronicle

(USPS 086-480), Telephone: (617) 628-6200
7 Temple Street, Cambridge, MA 02139
Established 1846

Editor: David Wiegand
Publisher: William Dole, **General Manager:** Donald O. Morse
Production and Promotion Manager: Elizabeth H. Dole
Circulation Manager: Clare M. Nunes

Telephone
Business Office: 628-6200, **Display Advertising:** 628-6200
Classified Advertising: 628-1800, **Circulation Department:** 625-6300
News Office: 868-7400

Delivery Rates (per year)
Carrier Delivery: .35 weekly, Mail Subscription: $18, Outside Middlesex County: $28
Student, military, and senior citizen rates on request.
Back orders (over 3 months, per copy): $.60
Second-class postage paid at Boston, MA

The Cambridge Chronicle is published weekly by the Cambridge Sun Publishing Co., 145 Elm Street, Somerville, MA 02144.

The Cambridge Chronicle assumes no financial responsibility for typographical errors in advertisements, but will reprint that part of an advertisement in which the error occurs.

Advertising Standards: merchandise or service advertised in the Cambridge Chronicle is expected to be accurately described and readily available at the advertised price. If you find that any advertisement is deceptive or misleading notify our advertising director, 145 Elm Street, Somerville, MA 02144.

Postmaster send address changes to: Cambridge Chronicle, Box 312, 149 Elm Street, Somerville, MA 02144.

A publication of Dole Publishing Company, Inc.

CCM-101

City of Cambridge

Calendar Item No. 22
~~(Calendar Item No. 28)~~
~~6.~~

IN CITY COUNCIL

~~December 19, 1988~~
~~January 9, 1989~~
January 30, 1989

COUNCILLOR WALTER SULLIVAN

ORDERED: That all items excluding ordinance amendments subject to a statutory time frame, not acted upon at this meeting be placed without prejudice, in the files of the City Clerk, subject to recall by any member of this City Council.

In City Council January 30, 1989.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- Joseph E. Connarton

Joseph E. Connarton, City Clerk.

CCM-101

City of Cambridge

Calendar Item No. 22
~~(Calendar Item No. 28)~~
~~6.~~

IN CITY COUNCIL

~~December 19, 1988~~
~~January 9, 1989~~
January 30, 1989

COUNCILLOR WALTER SULLIVAN

ORDERED: That all items excluding ordinance amendments subject to a statutory time frame, not acted upon at this meeting be placed without prejudice, in the files of the City Clerk, subject to recall by any member of this City Council.

In City Council January 30, 1989.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- Joseph E. Connarton

Joseph E. Connarton, City Clerk.

24 Prescott Street
Apartment 22
Cambridge, Mass. 02138
June 6, 1988

Cambridge City Council
City Hall
795 Massachusetts Avenue
Cambridge, Mass. 02139

To the Honorable; the City Council:

On May 23rd Councillor Walsh introduced an order requesting that the Cambridge Rent Control Board hear and decide all rent adjustments within 120 days. Councillor David Sullivan exercised his right under the City Charter and the matter was deferred for consideration to the next council meeting.

Councillor Walsh's order fails to address the underlying reasons for rent adjustments to take the time they do, including the presentation of faulty documentation by landlords. To illustrate this point I have enclosed a copy of an addendum to a rent adjustment report at 288-290 Harvard Street, a roominghouse owned by Resource Capital Group. It should be noted that Resource Capital Group made a proposal similar to Councillor Walsh's about processing rent adjustments before the Council Committee on Rent Control earlier this spring.

The examiner report indicates that the case was heard by the examiner on four different dates, that the landlord had a number of rent adjustments for this property pending at the time, and that the landlord requested that the hearing examiner delay "completing this older report" (p. 1) prior to completing another, later report.

Most significantly, the report indicates why four hearing dates were required: the tenants disputed the bills submitted by the landlord for maintenance and repair. In fact, over the years and in numerous cases Resource Capital Group has presented bills from an entity called Peerless, which tenants have long claimed was an extension of Resource Capital Group and has been used to pad expenses. The Rent Board has found that Peerless has a less-than-arm's length relationship with Resource Capital Group. In this case, the hearing examiner accepted the merits of the arguments made by the tenants: "I found the tenants' concerns about the padding of wages, hours, and material costs to be credible." (p. 4)

In her recommendation, the hearing examiner concludes: "This report [sic] close to 100 hours of this examiner's time, and it is my belief that much time could have been saved if RCG used outside parties to perform maintenance and repair or if the Peerless bills were more adequately documented." (p. 12)

Hence, I believe that any effort to streamline the hearing of rent adjustments ought to include the following:

1) limiting the number of rent adjustments that may be filed in any given year to one, but making allowance for an emergency filing in response to the correction of code violations.

2) barring the introduction of additional materials, including those which document the major renovation of individual apartments, as amendments to a petition for rent adjustment in the middle of the proceedings.

3) allowing tenants to obtain copies of the documentation filed by the landlord when the Rent Board receives it, rather than seven days before the hearing, which is the customary practice.

4) dismissing outright any petition for rent adjustment in which it can be shown that expenses have been padded, that the same bills have been used in more than one rent adjustment to raise rents, or that any evidence has been tampered with or otherwise altered.

Any streamlining of procedure or processing must not come at the expense of the rights of tenants. As the Harvard Street case shows, it was the tenants who persevered to bring out the discrepancies in the Peerless bills and challenged the role of Peerless as a "straw" company. (p. 4) I think the case-flow management at the Rent Board and the community in general would have been well served if the Rent Board had dismissed the Harvard Street petition outright once the padding of expenses was evident.

If the Council chooses to request the Rent Board to set time limits for any proceedings before it, I would respectfully suggest that the time limits apply to all cases before the Board--tenant complaints and special cases that seek to prevent apartments from being removed illegally deserve the highest priority, in my view--and that any time limit be established as a goal to be sought.

Respectfully submitted,

Michael H. Turk

Michael H. Turk

cc: Ms. Margaret Drury, Cambridge Rent Control Board

ADDENDUM

CASE #: RA2-86-362 *
ADDRESS: 288-290 Harvard St.
HEARING OFFICER: Donna M. Turley
HEARING DATES: March 10, 1987
May 29, 1987
June 24, 1987
July 20, 1987

The following numbered sections correspond with the numbered sections in the computer report:

1.0 Introduction

The tenants moved to dismiss or stay the landlord's petition due to outstanding rent adjustments, and the fact that the petition was filed on 12/31/86 and a 1986 base year would be more accurate. I ruled that the regulations allow the landlord to choose the expense year. I delayed hearing all of the evidence and I processed the report after the other rent adjustments had been decided by the Board. The last Notice of Ruling was dated January 26, 1988. I read the Board's disclosure notice concerning tenant's attorney and his relationship to the Board's General Counsel.

At the request of the landlord, I completed another report prior to completing this older report.

3.0 1967 Base Year Income

The base year rents were set in accordance with the July 7, 1987 Notice of Ruling signed by Patrick DeTemple.

4.0 1967 Operating Expense

The operating expenses were taken from a prior rent adjustment and were actual expenses.

5.0 Building Services and Conditions

Furniture

The tenants alleged that there has been a reduction in furniture since January 1985 and requested that an inspection be conducted in 288#5, 290 #'s 1, 3, 4 & 7 to see what is remaining. The tenants stated that the furniture missing has gone into disrepair. The furniture is then thrown out by the landlord's agent or seen by that agent in the basement. Mr. Burns stated that there has been no removal and that they had no notice of disrepair. Zelia Kelleher inspected the three apartments in which tenants were home for the inspection. Based on her inspection, I find that there is effectively no furniture in #290-1 and 290-3. In unit 290-2 there is a bed frame, mattress, box spring and dresser, with a total value of $55. She later inspected 290-4 and determined that there was no furniture of the landlord's in that

* Due to the extensive documentation in this case, bills are available for public viewing only.

unit. In 290-7, she found the value of furniture to be $45. No findings are made on 288-5. While the landlord asserted that he did not have notice of the disrepair, he also did not indicate an intent to continue supplying furniture. In compliance with the May 13, 1987 Board ruling on furniture for this property, I reduced the base year rents of units 290#1, 290#3, and 290#4 an additional 5% to reflect the move from partial to full reduction on furniture provided. I also changed the base year rents by 0% for units 290#2 and 290#7 to reflect virtually no reduction in furniture provided in the base year after review of prior report on this property dealing with this issue which showed that while the furniture in those two rooms is different, it did not appear to be less in quantity or value. Therefore, The base year changes are as follows :

unit	BY rent	reduction	new BY rent
290#1	$71	-$4	$67
290#2	$74	-$0	$74
290#3	$62	-$3	$59
290#4	$69	-$3	$66
290#7	$56	-$0	$56

Increase or decrease in services or conditions?

I allowed the $520 payroll expense in the base year without reducing base year rents despite arguments on both sides concerning the loss of a resident superintendent after determining that the Board has already ruled on this issue.

Substantial deterioration since BY and not already dealt with by the Board?

No claims were made regarding this concern.

Failure to maintain or repair?

The tenants complained that the porches are falling apart, that the gutters are not oiled regularly and therefore are rotting, that the building is generally neglected and the common areas are a mess. Their main concern was that preventative maintenance be done to incurring the cost of capital improvements later.

The tenants also complained about the level of cleanliness maintained in the building. They noted that the cleaning woman spends one half hour at the building on Mondays and Fridays, and one hour there on Wednesdays. Regina Haase stated that there is no supervision of her work, and that the cleaning woman does not clean the oven, wipe moldings, clean under the sinks or in the corners, on top of the refrigerator, or toilets and bathrooms properly. She also asserted that the windows have not been washed in five years. She also stated that there is rare replacement of bulbs in common areas and that there is no access to the toilet paper stock.

The tenants present also complained of the yard work. They stated that one side of the building is all dirt, that despite Peerless bills to the contrary, the yard is rarely raked. After the hurricane in the fall of 1985, the yard wasn't cleaned of debris until the spring of 1986. There was also construction debris from the exterior egress that sat on the law through the summer until winter.

The tenants also complained of peeling hallway paint in the first floor of 288 and on the second floor ceiling of 290. There was also testimony that the new fire escape was left unfinished (no paint or coat to prevent rotting). The attached metal flashing protrudes and is sharp. The vent for the 288 first floor bathroom has never been finished off.

The landlord claimed that he had no notice or citations for these problems. He also submitted the cleaning contract between Peerless and Steinbergh for cleaning the building at $345 per month. No checks or bills were submitted to back up this contract. While the terms of the contract are quite extensive, I find only that the owner has contemplated keeping the property clean, not that the property has been kept clean.

There was no request that Ms. Kelleher inspect, nor were any tenant response forms submitted.

6.0 <u>1985 Operating Expenses</u>

6.2 <u>Electricity</u>
The owner claimed $2859; subtracting out the interest charge, the bills added up to $2855, the amount allowed.

6.3 <u>Cooking Gas</u>
At the initial hearing, Mr. Burns claimed $716, which was the total non-heating gas expense minus laundry revenues. At a later hearing, he produced records of laundry revenue for $299.46. Total allowed was $519.

6.5 <u>Heating Gas</u>
Fuel efficiency was checked; 6456 ccf's were consumed with a 6,400 sq.ft. heated area. The efficiency ratio is 1.01, making it a fuel efficient building within the guidelines established by the Board.

6.8 <u>Maintenance and Repair</u>
A majority of the $6856 claimed for maintenance and repair consisted of Peerless bills. Much time and energy during the four hearings went towards attacking and defending Peerless bills. While the hearing officer does not purport to present as exhaustive arguments as the parties, the arguments are briefly summarized here.

Tenants: The Board has found these bills lacking in credibility in the context of other rent adjustments. The people at Peerless are effectively employed by Alex Steinbergh and Stanley Bowden, who have created straw companies full of friends. Many of the employees of Peerless used to work for RCG. It has no separate office and has never filed a d/b/a certificate. For the expense year claimed in this petition, Peerless was never a distinct and separate entity. It is comprised of individuals. It is not a separate company or partnership. There is no evidence of any actual overhead. The rates and times charged are excessive, plus there is a "consumables" charge added to every bill that is not specific and not properly documented. In the most recent rent adjustment with a 1984 expense year on this property, all maintenance and repair bills from Peerless were reduced by 35%. All consumable charges were eliminated. Tenants are even charged for tools by Peerless. The transactions are at less than arms length. It is hard to tell what was done on the face of the bills. The times include travel. Dates are often inaccurate. The checks to Peerless are large and general. It is not clear that they apply to these invoices of Peerless. Furthermore, there is doubt that some of the work claimed was done. Tenant submitted a log that he keeps regarding house problems and repairs to impeach the credibility of the Peerless bills.

Owner: Consumables have been allowed in other rent adjustments - see Skolnick's report for 36 Lee St., however the Board does have a mixed record in dealing with these items. The consumables appear on Peerless bills from Jan. 1985 to July 1985. It was their method of building in costs that others would treat as overhead, such as transportation and supplies too small to be itemized. In July, they started to put the cost of consumables into the hourly wage rate. Peerless is much better organized than the former management company. It is usual that workers get paid less than what contractors are billed for. The d/b/a is irrelevant. In 1985, they did use RCG office space and telephones, however, they had their own books, supplies and support staff. Darlene Beckford did their bookkeeping.

Based on the testimony, the history of the property, prior Board cases and treatment of Peerless bills, and in consideration of the fact that the owner has a financial motive to have subcontractors bill at high amounts, I found the tenants' concerns about the padding of wages, hours, and material costs to be credible. I determined that the only way to treat Peerless bills in a fair manner was to eliminate consumables, and evaluate each claim on its face in light of what work was done. Where the rates or times appeared to be excessive, for lack of a better model, I resorted to allowing the maximum amount for the task as listed in the Board's Landlord Labor Wage Schedule. While I recognize that this method is imperfect at best, I believe that it is more fair than an across-the-board 35% reduction.

All controversial bills were treated as follows:

Other Bills

1/28/85 American Wiring Bill for $54 - disallowed despite further substantiation by landlord because it appeared duplicative and not in the expense year based on the testimony and evidence of the tenants;

3/17/85 Tempco bill for $50 - disallowed after testimony that it was replace 2 months later and cost allowed in another report;

5/14/85 Pill bill for $29.93 - disallowed because many Peerless bills contain charges for cases of toilet paper and it cannot be determined if this is duplicative of an amount allowed in Peerless bill;

7/8/85 Sanyo bill for $8.16 - disallowed as already included in 7/1 - 8/15 Peerless bill;

12/31/86 RCG bill for $297 - disallowed as in the wrong year and lacking in detail and credibility;

Peerless Bills

1/31/85 Paint bill for $94.50 - removed $4.50 consumables and allowed paint labor at $10 per hour; total allowed = $75;

1/8/85 for $9.45 to remove stair tread - allowed $7.50 for labor;

1/17/85 bill to fix oven door for $27.30 - appeared to bill for two people, deleted consumables and allowed charge for one person at $10 per hour and total of $10.

1/85 bill for cleaning and snow removal - per agreement allowed $18.

1/7/85 bill to check light and arrange for repair at $19.90 - disallowed as unreasonable and more accurately called management.

1/8/85 bill to accompany electrician for $11.02 - disallowed as management.

1/10/85 $11.53 bill for providing trash bags - disallowed labor as management, and consumables, allowed $4.18 for bags.

1/21/85 bill to purchase supplies for $24.92 - disallowed as vague, and therefore lacking in credibility.

1/23/85 bill to pick up and deliver doormats - did not allow $14 per hour rate or consumables. Allowed $10 per hour or $7.50 for the 3/4 hour used plus $16.98 for mats for total of $24.48.

1/31/85 bill for pick up of supplies - allowed $21.99 per agreement.

1/11/85 bill for notifying tenant and accompanying the exterminator - disallowed as management.

2/28/85 misc. bill - disallowed consumables, allowed labor at $10 per hour given nature of the jobs, for a total of $175.

3/6/85 bill to assist American Wiring correct short - allowed labor only at $10 per hour for total of $25.

3/85 bill for misc. simple repairs, snow removal, cleaning yard, and picking up supplies - disallowed consumables and $33 in

unsubstantiated supplies, allowed labor at $10 per hour for total of $170.

3/85 bill for repair of gutters - disallowed consumables and materials as unsubstantiated and vague, allowed labor at $12 per hour for total of $66.

4/85 bill for supplies - full $36.82 disallowed as unsubstantiated.

4/85 bill for yard cleaning - allowed 3 hrs. of labor at $8 plus $1.82 for garbage bags for total of $25.82.

4/84 bill for patching hole in 288-5 - after Mr. Burns stated that the company didn't exist in 1984, allowed 3.25 labor hours claimed at $12 per hour for total of $39.

5/85 bill for assisting plumber and cleaning yard - based on testimony that yard work was almost never done and the fact that only 1/2 hour was claimed and that cleaning is claimed in the next bill for the same month, I disallowed yard work charge. Also disallowed consumables. Allowed $18 for remaining work.

5/85 bill for $108.83 for hedge, lawn and yard work - testimony taken that lawn is 90' long and hedges are 150' long, allowed only 5 hours of 10 hours claimed at $10 per hour with the $3.65 claimed for bags. Note that only 3 hours are claimed for comparable work on next bill.

6/85 bill for $349.65 misc. jobs - disallowed 1.5 hours to patch hole in 288#5 for patching hole in kitchen since the job was to fix leak in upstairs bath; disallowed $73.15 for materials since the amount is large, unclear and should be documented; disallowed $10 for consumables; allowed only $40 per week for two weeks of cleaning (see cleaning discussion in this report); allowed remaining 8.25 hours at $10 per hour because of the nature of the work and because hours appear to be exaggerated (eg. .75 hours for changing 4 lightbulbs). Total allowed = $162.50.

6/85 bill for assisting plumber and fixing a no water problem; allowed 1.75 hours claimed at $12 per hour. $21 allowed.

7/1 - 8/15 bill to assist plumber and subcontract repairs. Disallowed $80 subcontracting cost as already capitalized; Disallowed $9 for .75 hours to assist plumber since no corresponding plumbing bill was submitted.

7/1 - 8/15 $659.61 bill for cleaning & misc. work; reduced $420 cleaning bill to $280 based on testimony that cleaning woman only works at property 2 hours per week and gets paid $40 per week; reduced the $190 in labor claimed by 1/2 due to nature of work claimed, and fact that hours and rate were not listed for each job; allowed $49.61 for materials; total = $424.61.

9/15 - 10/11 $342.58 bill for cleaning & misc. work; allowed 3 wks. of cleaning at $40 per week; allowed $5 for changing lightbulbs; Total allowed = $244.15.

9/15 bill for trash barrels, disallowed $65.96 claimed as not credible without receipt.

8/15 bill for $387.64; allowed cleaning at $40 per week($160);

allowed garbage can removal at $9 per week as claimed in previous bill ($36). disallowed $5.25 for shower rod as unspecific; disallowed $54 for storm door repair since it was replaced following month; disallowed $10 "garbage fee" as unnecessary, lacking in credibility, and already included in garbage removal charge. Total = $231.39.

10/11 - 10/28 bill for $334.04. Allowed cleaning at $40 per week for two weeks since it appears that 10/7 charge was claimed on previous bill and I was not convinced by Mr. Burns summary of charges produced after the hearing that it was not duplicative; disallowed $10.25 for changing bulbs as lacking in credibility and excessive; disallowed $37.25 for plumbing assistance since not accompanied by plumbers' bill and therefore not credible; disallowed $72.79 for materials as excessive enough to require separate receipt. Total = $113.75.

10/28 - 11/15 $258.15 bill for cleaning, yard work, etc. Allowed $80 for cleaning; disallowed $45 for cleaning & mowing yard based on tenants testimony and photo evidence that the claim is 1 month after hurricane and no yard work was done until following January; allowed only $25 of $60 claimed based on credible testimony that new toilet was not installed as claimed - testimony casts doubt on validity of whole claim, but am allowing $25 for trash and minor repairs. Total = $138.15.

11/11 - 12/5 bill for $267.98; allowed $120 for cleaning; allowed $27 for trash removal but disallowed rest of $66 claim because hours and rates are not specific enough to evaluate and because there is not an accompanying plumbers bill; allowed remainder of bill for a total of $168.98.

12/5 - 12/31 bill for $25.79 allowed

12/5 - 12/31 bill for $372.28; allowed only $160 for cleaning; disallowed $15 "waiting" charge. Total = $277.28.

12/26 bill; allowed $22.5 to remove dresser

2/28 bill for janitor supplies @ $37.59; disallowed as unspecific and therefore lacking in credibility.

1/20 bill for letting tenant into apartment; disallowed as management.

3/85 bill for $218 for scraping and painting a ceiling allowed as a capital improvement.

3/85 bill for basement debris removal @ $125 disallowed because appears to duplicate $175 bill already allowed.

TOTAL ALLOWED FOR M & R = $3,347.85

6.11 Miscellaneous

Allowed $75 per year for $225 three year boarding house license.

6.12 Insurance

I allowed the owner to amend his application to include the most recent insurance bills. He provided a copy of the group

policy for the tenants. Total allowed was $2069

6.13 Taxes

The 1987 tax bill was used minus assessed interest. The owner stated that he was not filing for an abatement.

7.0 Capital Improvements

7.3 Intercom

The tenants claimed that the work of replacing a defective 20 unit button panel duplicated work that cost $1695 in 1982 and allowed in that year. They produced a bill to show the 1982 expense for a complete new system. I determined that the work was in fact duplicative, and allowed this bill but reduced the 1982 expense by $177 for a total of $1518. The $177 represented the reduction of the 1986 dollars to 1982 dollars using the implicit price deflator.

7.5 Fire Doors

The landlord produced Peerless bills totaling $849.88 for installation of fire doors. The tenants objected, stating that the cost was grossly inflated. Mr. Stern noted that the two doors were only 9'x 42". The material bills amounted to $330, while the Peerless bills amounted to $520. Close to nine hours and $140 was to sheetrock the frame and to "help" sheetrock the frame; another eight hours and $150 was to finish casing the doors; another five hours and $100 used to plaster the doors; and the rest of the bill was for materials (2 gal. compound & sheetrock, $36; .64 for plastic; $36.33 for casing and finish nails; another $36.33 for casing and finish nails for the second door; and $1.37 for a drill bit). A close inspection of these claims reveals twenty-two hours for labor and much money spent for nails, sheetrock, compound, and casing for a rather small job. I sustained the tenants objection that the bills were excessive. While the choice of laborers may be in the landlord's discretion, it is unreasonable to expect tenants to foot the bill for help which is extremely slow and help which exaggerates its materials cost without producing receipts. Furthermore, prior cases have established that there is a less than arms length distance between the landlord and the contractor, which casts additional shadows of suspicion on the bills. Therefore, I find that the Peerless bill is excessive and unreasonable. Based on review of the work and the cost estimator with overhead included, I determined that approximately 35% of the Peerless bill was excessive. I allowed only $670 for the capital improvement.

7.7 Washbowl and Piping, 290-1

After it was determined that the $235 expense applied to 290-1, not 288-1, the expense was allowed.

7.8 Bathroom Renovation, 288-8

The owner produced a Peerless Property bill for $271 for

renovating the bathroom in 288-8. The tenants objected, stating that some of the items on the bill are management and the hourly rates are inflated. The job involved removing a "bad section" of the wall, retiling the area, and grouting the shower and recaulking the tub. Thirteen hours of labor were claimed. In the bill, I allowed the $20.87 cost for grout, caulk, cement and paint. I disallowed the 1.5 hours claimed for "arrange for repairs in the bathroom" as a management cost. I disallowed 1 hour for "picked up stock for bathroom repairs; couldn't enter apartment to finish job" because at $20 per hour for the labor claimed, the claim was excessive. I allowed only $8 for this job. Because the cost appeared to be excessive for the work done, and because of the problems of a less than arms length relationship between Peerless and RCG, I sustained the objection of inflated price and allowed the rest of the cost claimed at $14 per hour, the maximum allowed by the Board using the landlord labor rate at the maximum skill level. Therefore, the total allowed was $176 for the job.

7.9 Apartment Renovation and painting, 290-3

These two improvements by Peerless were invoiced on the same two bills The owner claimed that $422 went to renovation and $250 went to painting. For this one room apartment, the bill listed the work as "sheetrock, patch, paint walls/ceiling; replace sashcords in 2 windows; replace two doors, plane sides & threshold; reposition sticker; take supplies to Clinton; install 2 shades, door hinge; install refrigerator handles; wash floor". The tenants claimed that most of the renovation work was maintenance and repair. After examining the list, I agreed. In order to figure out the correct amount to allocate to painting, I determined that the whole bill was for twenty-eight hours at $18.27 per hour. Again, because of the concerns with Peerless bills, I allowed the work at $10 per hour using the Board's labor rates. I allowed only $25 as a reasonable amount for paint and related supplies of the $130 claimed on the materials invoice due to the fact that the items included and cost were not listed or substantiated by independent bills. Much of the bill should have applied to the two doors. Using the same ratio proposed by the owner 51/49, I allowed $137 for the painting labor and $25 for the supplies for a total of $162.

7.10 Refrigerator, 290-3

As part of four capital improvements claimed for unit 290-7 and based on Peerless bills, a new refrigerator was claimed. After much testimony and additional documentation, including the Morey Hirsch bill with "Peerless Properties, c/o 288 Harvard Trust, 1000 Mass. Ave...." noted, it turned out that Peerless had made a mistake and that the refrigerator was actually installed in unit 290-3. I allowed the $322 claimed to the proper apartment.

7.11 Apartment Renovation, 290-7

The owner claimed $670 for renovations. The work consisted of $126 for paint preparation, nail removal, hanging a new door, and installing new pipes and cleaning the drain in the kitchen. At the hearing, Mr. Burns stated that of the $465 that is listed for installing the linoleum floor and hanging the single door, $350 of that is attributable to the door. I find the cost of the renovation, considering the work done, to be excessive. I allow the following: on the #1260 invoice, I allow two hours at $10 per hour for hanging the door, and 1 hour for nail removal at $10 per hour. On invoice #1388, I allow the $55.13 claimed for a mahogany door. On invoice #1208, I allow the full amount claimed for the pipe work, or $154.50 and an additional $19.72 claimed for plumbing supplies. Total allowed is $259.35. I did not allow Mr. Burns to amend his petition and change the amount claim after the hearing on this issue.

7.12 Apartment painting, 290-7

On invoice #1260, I allowed the 11 hours claimed as paint preparation work (1 hour of the 12 claimed was already allowed above in 7.11) at $10 per hour for scraping the walls, ceilings, closet, and compounding and caulking. On invoice #1388, I allowed the $42.15 claimed for paint supplies, and on invoice #1208, I allowed the 20.5 hours claimed at $10 per hour for a total of $200.50 for "compound, prime, paint" the same single room. I did not allow the $48.05 supply notation for compound and paint since it was duplicative of the materials and work in the other invoices and because $90 for the supplies to paint a single room was excessive. Total allowed was $353. Note that I did not allow Mr. Burns' revision and amendment of the expense for this as having been submitted after the hearing on this issue and after the expense had been discussed at length.

7.13 Linoleum Floor, 290-7

Based on Mr. Burns testimony at the hearing, I allowed $150 of the labor charge on invoice #1260 for installation of the floor plus the $142.76 noted for the materials. Note that I did not accept Mr. Burns'substantial revision of this expense as it was submitted after the item was fully discussed in the hearing and because of a concern with the apparent fluidity of Peerless bills.

7.14 Shower Stall, 290-B

The owner produced a $774 Peerless bill for installing a new shower stall. The tenants protested that $351 in materials bills were not present and that the Peerless times and rates were excessive. The 23.5 hours of labor was charged at $15 per hour. I did not allow the two hours claimed for "found old shower stall unrepairable and picked up new one" since part of the claim is clearly management. Instead, I allowed 1/2 hour for picking up the new one from Metro Pipe and Supply and an additional 1/2 hour for taking the old shower stall to Kenwood St,. for disposal. I also did not allow the "dumpster fee" of $5 or the "truck fee" of

$10 because they are unusual and lack credibility without further substantiation. I allowed 8 hours as a reasonable amount of time for the job for each of the two men in labor at $12 per hour in consideration of the fact that there was some plumbing involved but no proof that either laborer was a professional. Total labor cost was $204. I also allowed the $323.48 claimed for the Shower. Total allowed was $527.

7.15 Vacuum Cleaner

After it was established a vacuum cleaner was provided in the base year, I allowed the $222 claimed.

Disallowed Capital Improvements

1. The landlord withdrew the $465 claimed for vinyl kitchen and bath floors in 288A since it had been dealt with and disallowed in a prior rent adjustment.

2. The landlord withdrew a claim for $300 for carpeting in 288A since it had been claimed in another rent adjustment.

3. The landlord claimed a "trailing expense" of $14 for a building permit to build the second means of egress for 288-8. The egress expense was allowed in a prior rent adjustment. He stated that it was not available at the time of the rent adjustment because he did not know that it was needed. I disallowed the claim as too small to be a capital improvement, not in the expense year, and because it was part of a prior rent adjustment that has been fully litigated before the staff and Board. Please note that the claim is a good example of the type of problem which causes RCG rent adjustments to be complicated, convoluted, and time consuming way beyond the amount of time required to process a normal rent adjustment with reasonable and straight forward claims.

4. In one of the first hearings, I disallowed the $90 claimed for painting unit 288-8. The bill was the tenant's receipt. The tenant stated that the landlord never incurred the expense, and that she was never repaid. I found the testimony to be credible and therefore the cost was not allowed. Mr. Burns later produced copies of tenant rent checks showing $502 for January and February 1987 and one for March 1987 in the amount of $411.88 with the notation "$502 March rent minus $90.12 for paint for livingroom." He also produced a ledger showing the deduction. Upon consideration of the additional evidence, I determined that the expense was in fact incurred, however it should be listed as part of maintenance and repair for 1986.

5. As noted in 7.9 above, I disallowed the cost of "renovating" #290-3 as a capital improvement and more reasonably called maintenance and repair, however not within the expense year claimed in this petition.

6. I disallowed the $225 Lodging House License claimed as a capital improvement. Mr. Stern noted that it has always been considered "other administrative". I accepted Mr. Burn's argument that it is an extraordinary expense particular only to Boarding Houses and also took note of the Board policy of accounting for extraordinary expenses in lodging houses and allowed $75 of the three year license as a miscellaneous item in 1985 operating expenses.

7. I disallowed a $48 fee claimed as a capital improvement for the annual reinspection of the property by Inspectional Services as more appropriately called an operating expense, but with no documentation provided for the expense year.

11.0 RECOMMENDATION

In addition to the recommendation set out in the computer report, I recommend that the Board only allow future Peerless bills where the hours are clearly set out and there are receipts for all of the materials. I allowed many of the unidentified smaller items here because it is common sense that running a boarding house does require some supplies, however I do not believe that those supplies should be allowed in addition to consumables. This report close to 100 hours of this examiner's time, and it is my belief that much time could have been saved if RCG used outside parties to perform maintenance and repair or if the Peerless bills were more adequately documented.

Respectfully submitted,

Donna M. Turley
Deputy Counsel

AMENDED REPORT PURSUANT TO 4/27/88 BOARD MEETING

CASE #: RA2 86 367
ADDRESS: 288-290 Harvard St.
HEARING OFFICER: Donna M. Turley DMT
DATE: May 23, 1988

****

The changes were made according to Board order. When necessary, I have summarized calculations below.

EY Water

Water consumption was 676.1. The current water rate is $1.89. Total allowed is $1,278.

Payroll

The earlier reports of Skolnik and Strong reflect $500 taken off of payroll to compensate for the loss of a resident superintendent. Since no payroll is claimed in this petition, I removed the amount from the insurance claimed, thereby reducing it from $2069 to $1569.

M & R

Per Board order to allow the Peerless labor rate and disallow a $175 miscellaneous bill, the following changes were made to the bills below (the bills are in the same order as in the first report):

1/31/85 - +$15; 1/8/85 - +$1.95; 1/17/85 - +2; 1/23/85- +$3; 2/28/85 - -$175; 3/6/85 - +$10.88; 3/85 - +49.74; 3/85 (gutters) - +$11; 4/85 (yard)- +12; 4/84 - +$6.50; 5/85 - +$3; 6/85 (misc.) - +$1.50 (6 hours of labor allowed); 6/85 (assist plumber) - +$3.50. Total = ($54.93). M&R reduced to $3292.92.

Capital Improvements

Expired caps were removed. Missing caps and amounts allowed were changed to conform to results of January meeting w/ B. Packer.

Fire Doors

I allowed 5 hours of labor for sheetrocking and 6 hours to finish the casing. Total materials and labor - $736.38.

Therefore be it

Resolved:

that the Rent Control Board be advised that it is the consensus of this City Council that regulations should be drafted that ~~at~~ require all adjustments must be granted or denied within 120 days

SMALL PROPERTY OWNERS ASSOCIATION OF CAMBRIDGE

C. Walsh

287 Huron Avenue
Cambridge, MA 02138
May 18, 1988

Councillor David E. Sullivan
Rent Control Subcommittee
City Hall
Cambridge, MA 02139

RECEIVED
MAY 20 1988
Ans'd.....

Dear Councillor Sullivan:

Please refer to your recent findings and recommendations regarding rent control.

1. Administration. [redacted]

~~We agree that~~ whereas there should be improved case flow management, but do not believe that this will happen until there is greater accountability and definate time limits are set for reports and decisions. Most ~~of our members~~ always must wait between 6 to 12 months for a report and then the Board Hearing and a minimum notice of 30 days to the tenant add more time. Corrections to a report take an additional inexcusable amount of time. If one were to file for a rent adjustment today based on 1987 expenses, it is unlikely that the adjustment would be put into effect this year. The result is that 1989 rents would be based on 1987 expenses. We find this to be not acceptable and request that your committee address this problem. Currently the Zoning Board must act within a certain number of days and we feel that Rent Control should also. ~~With regard to your statement that the program is being administered fairly~~ and effectively, ~~kindly advise us if you wish to speak with property owners who do not agree. Their opinion is based on actual experience.~~

of RCB

2. Recordkeeping and Exemptions.

We concur that more accurate records should be kept. We trust that this problem can and will be corrected. We strongly oppose additional regulations that impose more penalties on unknowing property owners. Your proposal to penalize a property owner because they failed to file an affidavit they were unaware of is in direct conflict with your recommmendations in your last paragraph in which you advocate less "lawyering" and a simplification of procedures. We certainly concur with the latter recommendation.

Ch. Hr
C. Sullivan

Therefore RCB be advised that it is Cons of Cal Council that regulations should be drafted that all adjustments must be granted a decision within 120 days of filing

3. Enforcement.

We strongly oppose your recommendation that the Board assign staff members to investigatory and enforcement matters. Staff members are not able to handle their current work load and we can not imagine that anyone could make such a recommendation while admitting that the current cases take too long.

4. Assistance to the Public.

We fully concur with your recommendations regarding public assistance. Our members have found the staff members to be very polite and courteous. We agree that this service should be expanded and given greater outreach. Our one complaint in this area is that sometimes inaccurate or incomplete information is given and a landlord is penalized for relying on this information. We do not believe that this should happen.

In general we feel that if your committee does not want to discourage the small property owner completely then we ask you to consider very seriously the results of proposals that will cause more grief and more frustrations to property owners. This will inevitably be followed by more distressed buildings and a even greater loss of affordable units.

Very truly yours,

David P. Sullivan
Secretary

no limit to a penalty - ?

section 12d & filing

Mayor Vellucci

CCM-101

City of Cambridge

Calendar Item No. 7
20.
IN CITY COUNCIL

May 23, 1988
June 6, 1988

COUNCILLOR WALSH

WHEREAS: There should be improved case flow management at the Rent Control Board but this will not happen until there is greater accountability and definite time limits are set for reports and decisions; and

WHEREAS: Most always people must wait between 6 and 12 months for a report and then the Board Hearing and a minimum notice of 30 days to the tenant add more time; and

WHEREAS: Corrections to a report take an additional inexcusable amount of time. If one were to file for a rent adjustment today based on 1987 expenses, it is unlikely that the adjustment would be put into effect this year. The result is that 1989 rents would be based on 1987 expenses; and

WHEREAS: This City Council finds this to be not acceptable, we request that the Rent Control Committee address this problem. Currently the Zoning Board must act within a certain number of days and the Rent Control Board should also; therefore be it

RESOLVED: That the Rent Control Board be advised that is the consensus of this City Council that regulations should be drafted that require all adjustments must be granted or denied within 120 days.

5/23/88 - CHARTER RIGHT EXERCISED BY COUNCILLOR DAVID SULLIVAN.

6/6/88 - TABLED ON MOTION OF COUNCILLOR WALSH.

CCM-101

City of Cambridge

Calendar Item No. 6
~~Calendar Item No. 7~~
~~20.~~

IN CITY COUNCIL

~~May 23, 1988~~
~~June 6, 1988~~
January 30, 1989

COUNCILLOR WALSH

WHEREAS: There should be improved case flow management at the Rent Control Board but this will not happen until there is greater accountability and definite time limits are set for reports and decisions; and

WHEREAS: Most always people must wait between 6 and 12 months for a report and then the Board Hearing and a minimum notice of 30 days to the tenant add more time; and

WHEREAS: Corrections to a report take an additional inexcusable amount of time. If one were to file for a rent adjustment today based on 1987 expenses, it is unlikely that the adjustment would be put into effect this year. The result is that 1989 rents would be based on 1987 expenses; and

WHEREAS: This City Council finds this to be not acceptable, we request that the Rent Control Committee address this problem. Currently the Zoning Board must act within a certain number of days and the Rent Control Board should also; therefore be it

RESOLVED: That the Rent Control Board be advised that is the consensus of this City Council that regulations should be drafted that require all adjustments must be granted or denied within 120 days.

5/23/88 - CHARTER RIGHT EXERCISED BY COUNCILLOR DAVID SULLIVAN.

6/6/88 - TABLED ON MOTION OF COUNCILLOR WALSH.

1/30/89 -PLACED ON FILE PURSUANT TO CALENDAR ITEM NO. 22 OF THIS DATE PLACING ON FILE ALL UNACTED UPON ITEMS WITH THE EXCEPTION OF ORDINANCE AMENDMENTS WITHOUT PREJUDICE SUBJECT TO RESUBMITTAL.

Order #20 S-Calendar 16

C. Walsh re: resolutions that the Rent Control Board be advised that it is the consensus of the City Council that regulations should be drafted that require all rent adjustments must be granted or denied within 120 days.

In City Council,

May 23, 1988

5/23/88 - Charter Right exercised by Councillor David Sullivan

6/6/88 - Tabled on motion of Councillor Walsh

1/30/89 - Placed on File Pursuant to Calendar Item # 22 of this date, placing on File all Inacted Upon Items with the exception of Ordinance Amendments without prejudice, subject to resubmittal.