



City of Cambridge

20.

IN CITY COUNCIL

March 31, 1986

COUNCILLOR RUSSELL

ORDERED: That the City Manager be and hereby is requested to review the communication received from John Fernsler, relative to problems he has experienced with the Rent Control Board and to further forward said communication to the Board with a request that these issues be addressed as soon as possible.

In City Council March 31, 1986.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, Acting City Clerk.

A true copy:

Joseph E. Connarton

ATTEST:-

Joseph E. Connarton, Acting City Clerk.

195-197 Green Street
Cambridge, MA 02139

March 14, 1986

Ms. Sheila Russell
Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Councillor Russell:

Knowing that you are about to review the Rent Control Ordinance and its administration, I want to share with you my experience as one person currently responsible for property under this system. The property involved is a 10-unit tenement with 44 rooms at 195-197 Green Street in Central Square; it has been in my wife's family for nearly 50 years.

Since May, 1964, the property has been held by the Angelo Scaramozzino Trust of which I have been the Trustee since November 1971. An elderly widow, Deborah Scaramozzino, has a life interest as beneficiary and is entitled to income from this Trust. Since May 1943, at which time I was in the U.S. Army, the building has been my legal residence. My wife and I raised four daughters there. All four graduated from Webster School. My wife and I still live there. We feel strongly that we, as older residents, give continuity and stability to our Central Square neighborhood.

In recent years, the property has deteriorated and major repairs were obviously required; as the rental income was insufficient to pay for these repairs and as no capital funds were available, in March 1984 I sought help from CAMBRIDGE NEIGHBORHOOD APARTMENT HOUSING SERVICES (CNAHS). I chose Reg. #77 as the vehicle which would result in the lowest rent increases and, in November and December 1984, CNAHS informed the tenants of the proposed rehabilitation of the building.

March 14, 1986

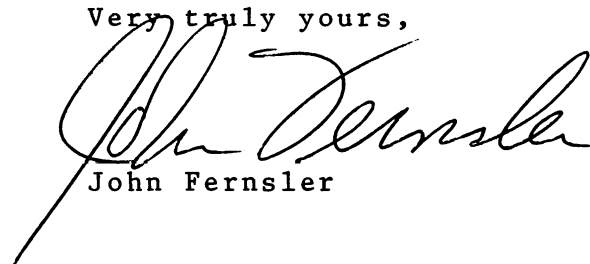
With the exception of one, all tenants had a reasonable reaction to the proposed improvements. The Tsou family, however, not only refused any help under the various programs available, they also undertook active harassment. This has taken the form of spiteful, personal acts, groundless legal actions and complaints to city departments to force immediate correction of violations, which would be taken care of in the course of the Reg. #77 rehab.

From February 1985 to present, I have had 5 occasions to be a participant in hearings before the Rent Control Board and its examiners: Two of these related directly to the petition under Reg; #77 and were handled routinely with a minimum of friction. The other 3, however, dealt directly with Landlord versus Tenant problems and were heavily biased in favor of the latter.

I urge you to consider the position in which property owners, like the Angelo Scaramozzino Trust find themselves under the present system of Rent Control. They have no recourse in the case of troublesome tenants nor can they properly maintain their property.

Examiners of the Rent Control Board tend to accept without question the statements made by tenants and to make determinations which are economically unreasonable. The Board itself seems to have a double standard: untruths by tenants are excusable; those by landlords are punishable. Above all, in their zeal to compensate tenants, they lose sight of the purpose of the law - to provide affordable rental housing and to maintain a stock of such rental housing in good condition.

Very truly yours,



John Fernsler

10.

S-218

Comm. from John Fernsler Re: his experiences
with rent controlled property as a Trustee
of property at 195-197 Green St.

In City Council,

March 31, 1986

Placed on File
Council Order Adopted
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