



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

June 8, 1989

Mr. William J. Dreier
700 Huron Avenue, Suite 19C
Cambridge, MA 02138

Dear Mr. Dreier:

Please be advised that the City Council has re-scheduled the hearing previously called to discuss the proposed rent increase for residents of Huron Towers. Said hearing to be held on Monday, June 19, 1989 beginning at 7:00 p.m. in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge. Your presence and/or that of your appropriate designee, is requested at this time.

Your very kind attention in this matter will be greatly appreciated by the City Council.

Sincerely yours,

Joseph E. Connarton
City Clerk.

JEC/mh



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JOHN E. FLYNN
DEPUTY CITY CLERK

June 8, 1989

Ms. Jane I. Daniel
700 Huron Avenue, #7-F
Cambridge, MA 02138

Dear Ms. Daniel:

Please be advised that the City Council has re-scheduled the hearing previously called to discuss the proposed rent increase for residents of Huron Towers. Said hearing to be held on Monday, June 19, 1989 beginning at 7:00 p.m. in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge. Your presence and/or that of your appropriate designee, is requested at this time.

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JOSEPH E. CONNARTON
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JOHN E. FLYNN
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May 15, 1989

Ms. Jane I. Daniel
700 Huron Avenue, #7-F
Cambridge, MA 02138

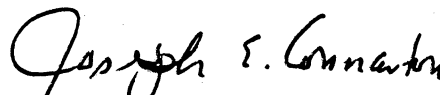
Dear Ms. Daniel:

Please be advised that the City Council is in receipt of your recent communication relative to the proposed rent increase for residents of Huron Towers.

Pursuant to your letter, the Council has scheduled a hearing in order to discuss this matter to be held on Monday, May 22, 1989 beginning at 7:30 p.m. in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge. Your presence and/or that of your appropriate designee, is requested at this time.

Your very kind attention in this matter will be greatly appreciated by the City Council.

Sincerely yours,


Joseph E. Connarton
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May 15, 1989

Mr. William J. Dreier
700 Huron Avenue, Suite 19C
Cambridge, MA 02138

Dear Mr. Dreier:

Please be advised that the City Council is in receipt of your recent communication relative to the proposed rent increase for residents of Huron Towers.

Pursuant to communications received in this regard the Council has scheduled a public hearing in order to discuss this matter to be held on Monday, May 22, 1989 beginning at 7:30 p.m. in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge. Your presence and/or that of your appropriate designee, is requested at this time.

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JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

May 15, 1989

Ms. Susan E. Rees
Resident Property Manager
Huron Towers
700 Huron Avenue
Cambridge, MA 02138

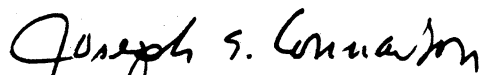
Dear Ms. Rees:

Please be advised that the City Council is in receipt of various communication relative to the proposed rent increase for residents of Huron Towers.

Pursuant to these communications, the Council has scheduled a hearing in order to discuss this matter to be held on Monday, May 22, 1989 beginning at 7:30 p.m. in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge. Your presence and/or that of your appropriate designee, is requested at this time.

Your very kind attention in this matter will be greatly appreciated by the City Council.

Sincerely yours,


Joseph E. Connarton
City Clerk.

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 25 PM 2:00

CAMBRIDGE MA.

TO

CAMBRIDGE CITY COUNCIL

AT

CITY HALL

SUBJECT

DATE

4/24/89

PLEASE COPY THE ENCLOSED MATERIAL AND
DISTRIBUTE TO EACH COUNCIL MEMBER.

INFORM THEM THAT THE RESIDENTS OF HURON TOWERS
WOULD APPRECIATE ANY HELP THAT THEY MAY WISH
TO OFFER. THEY SHOULD KNOW THAT CAMBRIDGE HOUSING
AUTHORITY LEASES UNITS AT HURON TOWERS.

PLEASE REPLY TO

SIGNED

William J. Dreier (491-0119)

DATE

SIGNED

TO

CAMBRIDGE CITY COUNCIL

AT

CITY HALL

SUBJECT

DATE

4/24/89

PLEASE COPY THE ENCLOSED MATERIAL AND
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AUTHORITY LEASES UNITS AT HURON TOWERS.

RETURN TO

SIGNED

William J. Driscoll (491-0119)

DATE

SIGNED

WILLIAM J. DREIER
700 HURON AVENUE (SUITE 19C)
CAMBRIDGE, MASSACHUSETTS 02138

RECEIVED BY
OFFICE OF CITY CLERK

1989 APR 25 PM 2:00

CAMBRIDGE MA.

April 24, 1989

Ms. Mary Noble, Chief
Loan Management Division
U.S. Department of Housing and Urban Development
10 Causeway Street
Boston, Ma. 02222

Re: Huron Towers
(Project No. 023-44208 LDP)

Dear Ms. Noble:

I am hereby submitting my comments in opposition to Huron Towers preliminary rent increase application dated March 31, 1989.

Please be advised that this letter is to also serve as a request, in accordance with the provisions as outlined in the Freedom of Information Act, for the review and copying as may be required of any/all material contained in the above mentioned project file. I am willing to limit my review to those documents currently on file in the Boston office, which the residents have not previously been afforded the opportunity to examine and were used by H.U.D. during their review of Huron Towers applications for rent increases for the years 1986 and 1988. Naturally, all documents reviewed by H.U.D. in regards to its evaluation of this years application for a rent increase are requested by me to be reviewed as well.

In view of the fact that this request is made pursuant to Huron Towers current preliminary rent increase application, I am also hereby requesting an extension of the review and comment period in order to be able to more fully respond to their requested increase, as may be appropriate.

Since the year 1986 Huron Towers residents have been subjected to staggering increases in their rents. On the average Basic rents have increased a total of 27.8%, with an additional 9.8% now being requested for 1989. Market rents have also on the average increased a total of 20.8%, with an additional 7.7% being requested for 1989 (Exhibits A-1, A-2 and A-3). I also find it interesting to note that although the current C.P.I. is between 4-5%, residents are looking at proposed increases ranging from 6.6% to 10.9%. Besides the increased financial burdens being placed on Market and Basic rent residents, the non-resident taxpayers have also become victims of these exorbitant increases without even being given the opportunity to comment.

Turning now to both Huron Towers preliminary rent increase application and their audited Profit and Loss Statements for the years ending 1985, 1987 and 1988, I bring to H.U.D.'s attention the fact that management fees are customarily established by using the industry standard, which is currently recognized as being between 5-6% of Potential Rent Revenue. I see, however, that Huron Towers aforementioned Profit and Loss Statements show that First Realty Management Corp., an affiliate, charged management fees in excess of the industry standard.

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 25 PM 1:58
CAMBRIDGE MA.

Illustration 1

	<u>1985</u>	<u>1987</u>	<u>1988</u>
A. Potential Rent Revenue	\$1,148,522	\$1,327,594	\$1,398,814
B. Management Fee	\$ 70,880	\$ 91,916	\$ 105,824
1) Percentage of Potential Rent Revenue	6.2%	6.9%	7.6%
2) Dollar Increase Over Previous Year		\$ 21,036	\$ 13,908
3) Percentage Increase Over Previous Year		29.7%	15.1%

If we were to apply the current industry standard to the Potential Rent Revenues in order to demonstrate the difference in what would have been a more appropriate management fee, Illustration 1 would have looked like this.

Illustration 2

A. Potential Rent Revenue	\$1,148,522	\$1,327,594	\$1,398,814
B. Management Fee	\$ 57,350	\$ 73,000	\$ 83,850
1) Percentage of Potential Rent Revenue	5%	5.5%	6%
2) Dollar Increase Over Previous Year		\$ 15,650	\$ 10,850
3) Percentage Increase Over Previous Year		27.3%	14.9%

Illustration 3

A. Management Fee (Illustration 1)	\$ 70,880	\$ 91,916	\$ 105,824
B. Management Fee (Illustration 2)	\$ 57,350	\$ 73,000	\$ 83,850
C. Dollar Difference (Increased Owner Profit)	\$ 13,530	\$ 18,916	\$ 21,974

There is not a lot that can be said about this next illustration, except that Huron Towers profits are on the increase and that if the industry standard as applied in Illustration 2 had been used, then they would not have shown a loss on their 1985 Profit and Loss Statement.

Illustration 4

A. Net Profit or (Loss)	(\$ 11,445)	\$ 29,190	\$ 160,539
1) Dollar Increase Over Previous Year		\$ 40,635	\$ 131,349
2) Percentage Increase Over Previous Year		455.1%	549.9%

This next illustration shows that the buildings Resident Manager's salary and the rent free unit benefit has substantially increased. Moreover, I am puzzled by the amount of the increase given the fact that the scope of her responsibilities and the absence of a CPM designation would not as a general rule command the compensation indicated.

Illustration 5

A. Manager Salary	\$ 26,532	\$ 28,865	\$ 34,049
B. Rent Free Unit (<u>3 Bedroom</u>)**	0	\$ 1,527	\$ 6,433**
C. Dollar Increase Over Previous Year		\$ 3,860	\$ 10,090
D. Percentage Increase Over Previous Year		14.6%	33.2%

It should be noted that standard industry benefits for management personnel are not shown here and if shown would have resulted in an increase in the stated compensation.

Let us next take a close look at the utility expenses and note the following with regards to Illustration 6 below:

- 1) Ms. Linda Fenton's letter to you dated April 29, 1988, which was submitted in support of Huron Towers 1988 rent increase request, indicated an expected increase of \$43,181 in the water and sewer utility category (Exhibit B-1). In support of her claim she submitted an article from the Boston Globe dated February 25, 1988 in which combined water and sewer increases of 46.3% were being predicted (Exhibit B-2).

Huron Towers only experienced a combined water and sewer increase of \$5,034.

- 2) The utility expenses as a whole for 1987 saw only an increase of \$3,141 or 1.6% over 1985 with the 1988 utility expenses being \$197,666 or a decrease of (\$6,910), which is equivalent to (3.4%) over the 1987 figure of \$204,576.

Illustration 6

	<u>1985</u>	<u>1987</u>	<u>1988</u>
A. Fuel Oil	\$78,688	\$67,944	\$59,507
1) Dollar Decrease Over Previous Year		(\$10,694)	(\$ 8,487)
2) Percentage of Decrease Over Previous Year		(13.6%)	(12.5%)
B. Electricity	\$85,805	\$92,917	\$90,943
1) Dollar Increase/(Decrease) Previous Year		\$ 7,112	(\$ 1,974)
2) Percentage Increase/(Decrease) Previous Year		8.3%	(2.1%)
C. Water	**	\$14,190	\$15,553
1) Dollar Increase Over Previous Year			\$ 1,363
2) Percentage Increase Over Previous Year			9.6%
D. Gas	\$12,169	\$ 9,877	\$ 8,394
1) Dollar Decrease Over Previous Year		(\$ 2,292)	(\$ 1,483)
2) Percentage Decrease Over Previous Year		(18.8%)	(15%)
E. Sewer	**	\$19,598)	\$23,269
1) Dollar Increase Over Previous Year			\$ 3,671
2) Percentage Increase Over Previous Year			18.7%
Total (Yearly)	<u>\$201,435</u>	<u>\$204,576</u>	<u>\$197,666</u>
Dollar Increase/(Decrease) Previous Year		\$ 3,141	(\$ 6,910)
Percentage Increase/(Decrease) Previous Year		1.6%	(3.4%)

** Included in the 1985 totals are the combined water and sewer expense of \$24,773. They could not be shown individually as they were not broken down on the profit and loss statement.

As a result of the information herein outlined it appears to me that it is highly unlikely that Boston's water and sewer rate increases for 1989, as stated in Ms. Fahy's letter to Ms. Fenton dated March 28, 1989 (Exhibit C), will have any major impact on Huron Towers (Project No. 023-44208 LDP) in Cambridge.

With regards to Huron Towers request for permission to deposit in the Replacement Reserve an additional \$100,000 toward the sprinkler system installation, I believe that the following comments are in order given the impact these continued additional deposit requests are going to have on the residents.

First, the Commonwealth of Massachusetts Fire Safety Commission Regulations do not mention a 1993 required beginning or completion date for the installation of the sprinkler system, as indicated by First Realty Management's Ms. Linda Fenton. In fact, the most suitable schedule for this type of building would be that as outlined in 530 CMR 2.03(3)(c) which requires completion as follows:

Schedule 3

1. all corridors, lobbies, exit accessways, elevator lobbies, exitways, stairways and places of assembly by January 1st, 1991
2. two-thirds of gross square footage by January 1st, 1994
3. the entire gross square footage by January 1st, 1997

Second, as a point of interest it should be noted that as of April 10, 1989 Huron Towers has not as yet selected a schedule for the mandated sprinkler system installation. The Regulations governing the sprinkler installation offer a choice of three schedules (Exhibit D). The least desirable as you will observe is Schedule 2.

The following illustration demonstrates the average cost per unit monthly and yearly.

Illustration 7

Previously Approved Resident Contribution (1988)

$\$47,000 \div 248 \text{ units} = \$189.52 \text{ per unit (yearly)}$
 $\$189.52 \div 12 \text{ months} = \$ 15.79 \text{ per unit (monthly)}$

Current Requested Resident Contribution (1989)

$\$100,000 \div 248 \text{ units} = \$403.23 \text{ per unit (yearly)}$
 $\$403.23 \div 12 \text{ months} = \$ 33.60 \text{ per unit (monthly)}$

I would like to know if the requested 1989 per unit monthly contribution of \$33.60 is in addition to the previously approved 1988 per unit monthly contribution of \$15.79? If this is the case, then it might be able to be said that they are actually requesting an additional deposit into the Sprinkler Reserve Account of \$147,000 and not \$100,000. It may be that they are only asking for an additional monthly unit contribution of \$17.81 toward the Sprinkler Reserve Account. Either way I think the residents deserve at this point in time a complete breakdown as to how each dollar of the requested increase is going applied.

Given the fact that Huron Towers has not made a choice of the schedule that they intend to commit themselves to, I am curious as to why they have been making reference to the year 1993 in attempting to accelerate the reserve deposits. I don't think that I need to remind you that in 1994 the owners of Huron Towers will be able to pay off the remainder of the mortgage and H.U.D. will essentially lose whatever limited control over the financial affairs of the Project they now have. What will happen to those funds if Huron Towers then decides to take out a loan for this expenditure, which is the usual method of addressing this type of expense with it being amortized over a minimum period of 10 years.

There are just a few points that I would like to make with regards to First Realty Managements projected \$8,607 increase in insurance premiums for 1989.

First, it is just as they have stated it to be, at best a projection, and nothing more.

Second, if they are basing their projection on changes and/or additions made to their previous years coverage, then they should so explain stating the reasons for and exact nature of the changes and/or additions.

Third, under the category of Other Insurance on Huron Towers 1988 Profit and Loss Statement, they failed to specify the nature of the \$1,129 expense.

Finally, based on First Realty Managements previously pointed out inaccurate and misleading attempts at projecting, there is no reason why H.U.D. should believe that there is any accuracy in their stated projection.

The following illustration shows that in 1988 Huron Towers experienced an overall decrease in premiums paid.

Illustration 8

	<u>1987</u>	<u>1988</u>
Insurance		
1) Property and Liability Insurance (Hazard)	\$74,388	\$51,619
2) Workmen's Compensation	\$ 4,433	\$ 7,452
3) Fidelity Bond	\$ 128	\$ 117
4) Other Insurance (Not Specified)	0	\$ 1,129
Total	<u>\$78,939</u>	<u>\$60,317</u>
Dollar (Decrease) Over Previous Year		\$18,622
Percentage (Decrease) Over Previous Year		(23.6%)

It is important for H.U.D. to remember that not only do the residents object to an increase being given for all of the previously mentioned reasons, but also because many of the residents are in general very dissatisfied with the way the building is being managed as a recent letter dated April 4, 1989 from a concerned group of residents to the buildings entire resident population indicates (Exhibit E).

Despite of all my efforts over the last few years, First Realty Management Corp. continues to negligently fail to exercise a duty of reasonable care to control access to and from the common areas of the building, and fail to provide security adequate to protect residents and their guests from the foreseeable criminal acts of third persons.

Over the past three years they have attempted to minimize their potential security related liability, which was initially brought to their attention by way of a couple of letters of mine to the buildings manager dated February 4, 1986 and March 5, 1986 (Exhibit F-1 and F-2). In doing so however, they have needlessly increased the Security Contract Payroll expense by 80.8% over the 1987 figure of \$27,609 to \$49,911. That amounts to an increase of \$22,302.

Crime has continued to plague our small community in recent years, even with the increased Security Payroll/Contract expense.

Examples:

- 1) Apartments have been burglarized with no visible signs of forced entry.
- 2) Automobiles parked in the buildings parking garage are often vandalized, with radios and other items being removed from them.

There continues to remain a very high risk of personal injury to the residents as a result of the lack of vigilance on the part of management, supervisory, and security personnel in detecting and correcting potentially dangerous situations in and around the building.

Examples:

- 1) When garage doors are broken and in need of repair, they remain broken and in the open position for weeks at a time.
- 2) Even when the garage doors are in working order, they are frequently open for long periods of time during the day and evening hours for no apparent reason.
- 3) The G-1 level door leading from the garage into the buildings elevator area is also often found in the open position, as a result of the doors locking or closing mechanisms being in need of attention, which usually stay undetected and or unrepaired for days and weeks at a time when those situations occur.
- 4) There have even been occasions when I have personally instructed and watched security write up a broken locking mechanism on a door and/or other potentially dangerous situation in their nightly security reports, only to have to repeat the process a countless number of times, and eventually we might get lucky with it getting repaired.

For a couple of months now security has not had a detex clock with which to record their nightly rounds and as a result are rarely, if ever, observed in any position other than a seated one at the lobby door, while the garage door and rear entrance to the building remain open. They may usually be found in the late evenings and early morning hours sitting there either listening to a radio with earphones on or doing homework. Does that make any sense to you?

The residents are already fully aware of Management's stated position if something were to happen to them which resulted in injury or loss of property, whether it be as a direct or indirect result of either the Security Company and/or First Realty Management's negligence, and that is "we're not responsible". Of course we know that if negligence is proven that their position is anything but true, as they have learned in the past.

At this point I would like to address a comment to all of the residents who have taken the time to read this letter. Let Huron Towers Co.(Owners), First Realty Management Corp.(Managing Agents), and any person in their employ that you will do whatever necessary to see that they are held responsible for their negligent actions and/or acts of omission. Please know that I stand ready to assist any resident who seeks my advice and/or help in that regards.

The services which are customarily provided by maintenance and porter personnel in a residential environment seem to be somewhat lacking in both quantity and quality at Huron Towers.

Besides those maintenance problems already pointed out on page six, my letter dated December 1, 1988 (Exhibit G) to Mrs. Susan Rees (Manager) illustrates the fact that I for one have become quite frustrated by the lack of response by the Huron Towers personnel to residents needs. Its pretty bad when a resident has to follow-up in writing on two simple common area work order requests in order to achieve the desired results, which as residents we have a right to expect. It should be pointed out that Mrs. Rees did not respond to my letter, as is often the case when management has little or nothing to say in defense of themselves.

However in all fairness to both our maintenance and porter staff, it is important to mention that I believe that part of the problem stems from the fact that at times excessive demands are placed on them as a result of First Realty Management Co. management obligations to a fifty-two (52) unit Condominium Complex located next to Huron Towers at Fresh Pond Place.

That fact also brings up an issue of possibly greater importance, which happens to be the apparent lack of compensation to Huron Towers for the services rendered by our personnel to not only the Condominiums Association for common area maintenance and cleaning services, but also to individual owners (Investors/Owner Occupied) for work performed in their units. Unless I am mistaken, the Huron Towers Profit and Loss Statement does not show any income being derived from those services. If that is the case, I don't believe that I need suggest to H.U.D. what its next step should be.

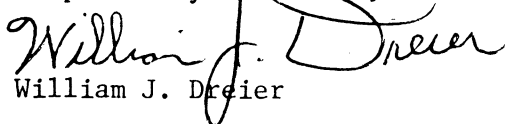
While there is so much more that could be said given sufficient time, such as addressing the matter of managements subtle and sometimes not so subtle but deliberate attempts to intimidate residents, I must bring my comments to a close by adding the following.

The granting of a rent increase as petitioned for by Huron Towers would be against public policy for being inconsistent with H.U.D.'s mandated mission, which is as I understand it to be, to provide decent, safe and affordable housing for the low and moderate income families.

In conclusion it is my firm belief that, as a result of all of the facts heretofore presented for your consideration, Huron Towers Preliminary Rent Increase Application does not demonstrate a legitimate need for the additional requested funds. As such they have not met H.U.D.'s established criteria for such requests and should on the face of it be rejected.

Thank you.

Respectfully submitted,


William J. Dreier

Enclosures

cc: Ms. Jacqueline Roundtree, H.U.D.

cc: (continued from page seven)

Huron Towers Company

Senator Edward M. Kennedy

Senator John F. Kerry

Congressman Joseph P. Kennedy III

Cambridge City Council (All Members)

Ms. Rachel Hart (Tab)

Mr. Zachary Gaulkin (Dole Publishing Company)

Ms. Lizbeth Heyer (Mass. Tenants Organization)

Residents (w/o exhibits)

EXHIBIT A-1

NOTICE TO RESIDENTS OF INTENTION TO FILE AN APPLICATION TO HUD FOR AN INCREASE IN THE MAXIMUM PERMISSIBLE RENTS

March 31, 1989

RECEIVED BY
1989 APR 25 PM 2:00

CAMBRIDGE MA

Take notice that on May 1, 1989, we plan to file an application for approval of an increase in the maximum permissible rent of Huron Towers with the United States Department of Housing and Urban Development (HUD). The proposed increase is needed for the following reasons:

1. Increased Water Rates
2. Increased Sewer Rates
3. Increased Insurance Costs
4. Increase in Replacement Reserve payments
5. Increased Dividend Payment

The rents for which we are applying are:

BEDROOMS	PRESENT RENT		PROPOSED INCREASE	PROPOSED RENT	
	BASIC	MARKET		BASIC	MARKET
ONE	\$461.00	\$581.00	50.00-8.78%	\$511.00	\$632.00
TWO	512.00	645.00	50.00-7.76%	562.00	695.00
THREE	574.00	723.00	50.00-6.64%	624.00	771.00
	AVERAGE -			7.73%	

Copies of the materials we intend to submit to HUD in support of our application will be available during normal business hours at the Huron Towers office - 700 Huron Avenue, Cambridge, MA 02138 - for a period of 30 days from the date of this notice for inspection and copying by tenants of Huron and, if the residents wish, legal or other representatives acting for them, individually or as a group.

During a period of 30 days from the date of service of this notice, tenants of Huron Towers may submit written comments on the proposed rent increase to us at the Huron Towers Office - 700 Huron Avenue, Cambridge, MA 02138. Tenant representatives may assist tenants in preparing those comments. (If at HUD's request or otherwise, we make any material change during the comment period in the materials available for inspection and copying, we will notify the tenants of the change or changes and the tenants will have a period of 15 days from the date of service of this additional notice (or the remainder of any applicable comment period if longer) in which to inspect and copy the materials as changed and to submit comments on the proposed rent increase). These comments will be transmitted to HUD, along with our evaluation of them and our request for the increase. You may also send a copy of your comments directly to HUD at the following address: United States Department of Housing and Urban Development., 10 Causeway St., Boston, MA 02222. Attention: Director, Housing Management Division, Re: Huron Towers #023-44208.

HUD will approve or disapprove the proposed rent increase upon reviewing the application and comments. When HUD advises us in writing of its decision on our application you will be notified at least 30 days before any allowable increase is put into effect, in accordance with the terms of existing leases.

HURON TOWERS

EXHIBIT A-2

RECORDED BY
OFFICE OF CITY CLERK

1988 APR 25 PM 2:00

CAMBRIDGE MA.

another
community
managed by



Huron Towers

June 29, 1988

WILLIAM DREIER
700 HURON AVE
CAMBRIDGE, MA 02138

Dear Huron Towers Resident:

The U.S. Department of Housing and Urban Development has approved a rent increase for Huron Towers Apartments. This approval was based on increased costs for insurance, water, sewer, taxes, and increase in replacement reserve payments. This increase will go into effect on August 1, 1988 according to the following schedule.

BEDROOM	PRESENT RENT BASIC MARKET	APPROVED INCREASE MARKET	APPROVED RENT BASIC MARKET
ONE	\$409 - \$529	\$452 - \$583	\$461 - \$581
TWO	\$454 - \$589	\$505 - \$651	\$512 - \$643
THREE	\$509 - \$658	\$574 - \$723	\$574 - \$723
	AVERAGE -	9.74%	

Since you are a Market Rent resident, your rent will be increased to the new Market Rent on the Anniversary date of your lease unless you choose to recertify at that time.

As always, we continue to strive to keep expenses at a minimum while providing the best service. We hope that you will continue your residence at Huron Towers. If you have questions about the increase or the amount of rent you are to pay, please do not hesitate to contact our office. This has been sent to you by regular mail and is being hand-delivered. It will serve as an amendment to your lease.

Very truly yours,

Susan E. Rees
Resident Property Manager

EXHIBIT A-3

HURON TOWERS • 700 Huron Avenue • Cambridge, Ma. 02138 • Tel. 876-7979

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 25 PM 2:00

CAMBRIDGE MA.

June 25, 1986

Dear Huron Towers Resident:

The U.S. Department of Housing and Urban Development has approved a rent increase for Huron Towers Apartments. This approval was based on increased costs for insurance, water, sewage, payroll and increase in replacement reserve payments. This increase will go into effect on August 1, 1986 according to the following schedule.

BEDROOM	PRESENT RENT BASIC MARKET	APPROVED INCREASE BASIC MARKET	APPROVED RENT BASIC MARKET
ONE	\$350-\$469	12.80%	\$409-\$529
TWO	\$395-\$529	11.95%	\$454-\$589
THREE	\$450-\$603	9.19%	\$509-\$658
	AVERAGE -	11.10%	

Since you are a Market Rent resident, your rent will be increased to the new Market Rent on the Anniversary date of your lease.

As always we continue to strive to keep expenses at a minimum while providing the best service. We hope that you will continue your residence at Huron Towers. If you have questions about the increase or the amount of rent you are to pay, please do not hesitate to contact our office. This has been sent to you by regular mail and is being hand-delivered. It will serve as an amendment to your lease.

Very truly yours,

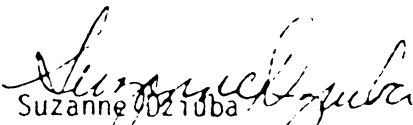

Suzanne Ozoluba
Property Manager

EXHIBIT B-1

RECEIVED BY
OFFICE OF CITY CLERK

1988 APR 25 PM 2:00

CAMBRIDGE MA.

April 29, 1988

Ms. Mary Noble
U.S. Department of Housing and Urban Development
10 Causeway Street
Boston, MA 02222



Re: Huron Towers
#023-44208

Dear Ms. Noble:

We are hereby submitting material in support of a rent increase request which we posted to residents on April 29, 1988. If our request is approved, we propose to increase the rents in accordance with the attached schedule.

Huron Towers continues to make every effort to hold the line on expenses which we can control. The increased expenses which we cannot control or are essential to the operation of the property include water and sewer expenses, insurance, payroll and increased deposits into the replacement reserve account.

A further explanation of specific expenses is as follows:

Insurance

It was expected that insurance costs would stabilize however we were faced with an increase in hazard insurance in 1987.

Water & Sewer

An increase imposed by the City of Boston has resulted in a 28% increase over 1987 or \$43,181.

Replacement Reserve

We are requesting an increase in replacement reserve payments to \$187,000 based on our analysis indicating an annual deposit of \$140,000 and the deposit of an additional \$47,000 toward sprinkler installation which will be required by the year 1993. We recognize that this will only partially fund this work which is estimated to cost \$800,000, but we do not wish to increase the reserve further at this time due to the impact on the residents.

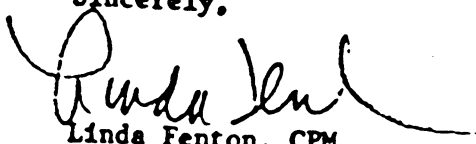
The physical plant is in good condition due to the ongoing repairwork.

Enclosed please find the following copies and information:

- 1) Cover letter and formal notice of our intention to file an application for a rent increase, delivered to every resident on April 29, 1988.
- 2) Audited Profit & Loss Statement (HUD form 92410) for year Ending Dec. 31, 1987.
- 3) Copy of Union Agreement.
- 4) Copy of Replacement Reserve Analysis.
- 5) Certification of tax abatement status.
- 6) Copy of the increase on Water & Sewer as printed in the Boston Globe.
- 7) Update on the Energy Conservation Plan.

If we can be of any further assistance, please do not hesitate to contact my office.

Sincerely,


Linda Fenton, CPM
Regional Manager

LF/dk



Flags in South Korean national flags stand at the window of the US Information Service library during an hourlong occupation of the building.

Five students demanded an end to American influence in the country. Meanwhile, Roh Tae Woo was inaugurated as president today, succeeding benefactor Chun Doo Hwan. Page 3.

AFP photo

Democratic contenders hurl as fight moves South

Talk persists of the Dole and Robertson camps conspiring to "gang up" against the Bush camp. Page 11.

In a fierce blast of campaign after putting the cold and South Dakota behind Richard Gephardt and attacked each other yesterday of the race to Super n. Albert Gore attempted calling the two "peasants" in the Democratic field came as Sen. Paul left the Southern field and regional favorite

Rev. Jesse Jackson, by turning away from the South, saying he would concentrate on the Illinois primary one week later. (Page 16.)

Gephardt, a Missouri congressman, was the first to let loose the dogs in the hunt for Southern votes yesterday by attempting to portray Dukakis and Gore as the gutless darlings of a greedy elite.

Questioning Dukakis' foreign policy credentials. DEMOCRATS, Page 17

Boston Globe Thurs 2/25/88

Water, sewer bills to be about \$60 higher over a year

By Larry Tye
Globe Staff

Water and sewer bills will jump by about \$60 in a year for Boston-area households, state officials announced yesterday - another sign of the "rate shock" needed to rebuild the region's decrepit water and sewer network and to clean Boston Harbor.

And things will get worse: Existing residential rates of about \$210 a year should reach \$400 in three years, the Massachusetts Water Resources Authority said, and they could hit \$1,133 by the year 2000.

"The reason we're seeing increases now is the system was neglected and underfunded for 20 years," said authority director Paul Levy. "We're making up for lost time."

Half the new spending will go to rehabilitate the water and sewer system, the other half to clean the harbor, which is one of the nation's filthiest, Levy said.

However worthy the goals, "I don't know how the heck communities can afford it," said William Griffiths, public works commissioner in Brookline. Selectmen there "are sending a strong letter asking the water authority to hold the line," he added.

The water authority board yesterday agreed to warn communities how their charges will increase on July 1, the start of the new fiscal year. Rates should rise by an average of 40 percent.

WATER, Page 12

Government shows state developing or potential budget shortfall

Frank T. Keefe, the secretary of administration and finance, have privately discussed what action they would take in case a number of problems develop, including a \$100 million drop in tax revenues.

Keefe, who was angry the Globe had obtained the document, insisted that the numbers attached to the budget problems cited in the working paper were "grabbed out of the air" and were intended to pre-

REVENUE, Page 12

In addition March 1987 Fuller, Bush and Bush at July 1986 at terrorism "the link weapons at lages." This questions at that he was time.

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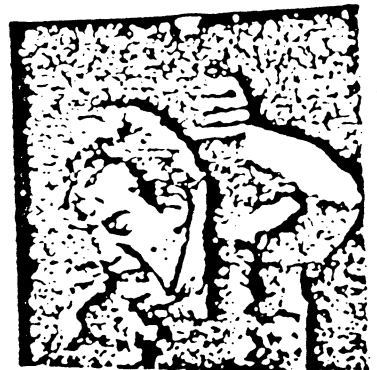
By Richard Globe Staff

The Massachusetts a campaign of a bill ance cover ty of Ma 1992.

Under ble, the Dukakis' health whisked ber by U ing cand to crow Tuesday March 6

The yester: tors to bill, a s

inside
Calendar, Money
acquitted
Superior Court
yesterday acquitted
three police officers
with looting a
Page 23.



Falwell loses Hustler case

By Alex Beam
Globe Staff

In a decision that has political cartoonists and satirists across the country breathing more easily, the US Supreme Court ruled yesterday that a public figure may not sue a publication for causing "emotional distress."

REAGAN QUERIES



149

Water and sewer bills will rise by approximately \$60 over a year

WATER

Continued from Page 1

for 34 communities using water services, and by 50 percent for 43 communities using sewer services.

That amounts to an average increase of 46.3 percent for combined water and sewer bills.

The increase was 56 percent last year and 28 percent each of the two previous years. Rates are expected to rise by 43 percent in the fiscal year beginning July 1989 and by 29 percent the following year.

The July rate hike will vary by community, depending on how much the community has grown or whether it has found other ways to get drinking water or to treat sewage. Wilmington, for instance, will pay 90 percent more.

while in Peabody water authority charges will rise by just 16 percent.

Water authority bills make up on average just 35 percent of a community's total water and sewer expenses, with the rest going to operate and maintain local water and sewer equipment. What happens to those charges will vary, but on average they should rise only about 10 percent next year, said Michael Kuklinski, rates manager for the water authority.

In Boston, cost in the next fiscal year will increase only \$40 to \$50 — largely because the water and sewer agency began plugging leaks in underground water pipes 10 years ago, much earlier than other communities, said David Conlon, acting agency director. The city also has restructured its rates to encourage conservation by making large water users pay more.

Higher water authority rates will go to upgrade programs to handle toxic wastes, conserve water and treat sewage, and to beef up the authority staff and offices, so they can handle the \$6.6 billion harbor cleanup ordered by a federal judge.

The authority board yesterday

began a 60-day review of its \$154 million budget for next year. The authority's advisory board will hold a public hearing on the budget March 24 in Newton.

Jamie Hoyte, state secretary of environmental affairs and chairman of the water authority board, said in an interview that he sympathizes with concerns about rising water and sewer rates. The state is committed to provide funds to help defray those costs, but Gov. Dukakis has not decided how much, Hoyte said.

Rep. Robert Emmet Hayes (D-Whitman) has proposed more than \$2 billion in state bonds for water cleanup efforts in Boston, New Bedford, Springfield and any other community that qualifies. Those funds would make up for federal cuts and alleviate the "dramatic, astronomical rate shock" felt in Boston and soon to be felt in the other cities, he said.

While it moved the budget forward, the water authority board yesterday said it needs more time to review \$83.8 million in contracts to dispose of sewage sludge and eliminate discharges of sewage-laden rainwater from 100 pipes across the region.

N., FEB. 28th
12 NOON-6 P.M.
SHERATON
TARA HOTEL
AT FERNCROFT VILLAGE
50 FERNCROFT RD.
Danvers

to 12x18. Including
charges are subject to prior

8 St., Boston

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INCLUDES: Pool • 1 1/2 HP Hi-Rate Filter • Filter Media • Algaecide • pH Increase • pH Decrease • TAC • Tile & Vinyl Cleaner • Deluxe In-Wall Balancer • Stainless Steel Safety Ladder • Telescope Handle • Deluxe Vac Head • 30 Ft. Hose • Test Kit • Test Chemicals • Thermometer • Patch Kit • Conditioner • Stubflour • CROAK • SOCK IT • AND SEASON SUPPLY OF CHLORINE!!!

1988 IMPERIAL PAK — EXTRUDED ALUMINUM

SIZE	ADV.	RES.	SPECIAL	SIZE	ADV.	RES.	SPECIAL	SIZE	ADV.	RES.	SPECIAL
12' x 18'			\$1185	12' x 24'			\$1511	12' x 36'			NOT AVAIL.
12' x 24'			\$1282	12' x 36'			NOT AVAIL.	12' x 48'			\$2311
12' x 36'			\$1381	12' x 48'			\$1881	12' x 60'			\$3436

— HURRY! ONLY A FEW 1987 COOL POOLS LEFT —

GALVA-STEEL		DUAL VINYL		EXTRUDED ALUMINUM	
12' x 18'	\$388	12' x 24'	\$488	12' x 36'	\$888
12' x 24'	\$488	12' x 36'	\$788	12' x 48'	\$1088
12' x 36'	\$888	12' x 48'	\$788	12' x 60'	\$1388

THIS SUMMER SWIM IN YOUR OWN POOL

1988 IMPERIAL PAK — EXTRUDED ALUMINUM END DECK

SIZE	ADV.	RES.	SPECIAL	SIZE	ADV.	RES.	SPECIAL
12' x 18'			\$3881	12' x 24'			\$3811
12' x 36'			NOT AVAIL.	12' x 48'			\$5736

**Boston Water and
Sewer Commission**

425 Summer Street
Boston, MA 02210-1700
617-330-9400
Fax 617-330-5167

EXHIBIT C



RECEIVED BY
OFFICE OF CITY CLERK

1989 APR 25 PM 2:00

CAMBRIDGE MA.

March 28, 1989

Ms. Linda Fenton
Regional Property Manager
First Realty Management
151 Tremont Street
Boston, MA 02111

Dear Ms. Fenton:

At the request of your office to receive verification of the Boston Water and Sewer Commission's recent rate increase, please be advised that on January 1, 1989, water rates increased by 20% and sewer rates went up 35.5%. This represents a combined rate increase of 28%.

Should you need any further information, please contact me.

Sincerely,

Patricia Fahy
Director of Budgeting & Finance Planning

PF/ljm

EXHIBIT D

530 CMR 2.00: INSTALLATION OF AUTOMATIC SPRINKLERS IN HIGH RISE BUILDINGS AND STRUCTURES

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 25 PM 2:01
CAMBRIDGE MA.

Section

- 2.01: Administration and Enforcement
- 2.02: Definitions
- 2.03: Implementation
- 2.04: Appeals

2.01: Administration and Enforcement

(1) Title. These regulations (530 CMR 2.00) shall be known as the Commonwealth of Massachusetts Fire Safety Commission Regulations for the Installation of Automatic Sprinklers in High Rise Buildings or Structures, hereinafter referred to as 530 CMR 2.00.

(2) Scope. 530 CMR 2.00, in accordance with M.G.L. c. 6, s. 200 and c. 148, s. 26A1/2 shall control the installation of automatic sprinklers in all high rise buildings or structures of more than seventy (70) feet above the mean grade and constructed prior to January 1st, 1975.

(3) Applicability. The provisions of 530 CMR 2.00 shall apply to all high rise buildings or structures more than seventy (70) feet above the mean grade and constructed prior to January 1st, 1975; and shall apply with equal force to municipal, county, state, state authorities of or established by the legislature and private buildings or structures except where such buildings or structures, or portions thereof, are exempted by statute.

EXCEPTIONS: Automatic sprinklers shall not be required to be provided in:

- (a) Patient rooms in hospitals.
- (b) Public or private libraries.
- (c) Buildings where construction has commenced prior to January 1st, 1975 and which have been submitted to the provisions of M.G.L. c. 183A.
- (d) Rooms or areas of a telephone central office equipment building when such rooms or areas are protected with an automatic fire alarm system.

(4) Authority. Under authority granted by St. 1966, c. 533, the Fire Safety Commission, hereinafter known as "the Commission", is empowered in the interest of public safety and general welfare to alter, rescind, amend, and repeal in accordance with M.G.L. c. 30A, and these regulations and to interpret and implement the provisions of the regulations to secure the intent thereof.

(5) Enforcement.

(a) Head of the Fire Department: The head of the fire department shall enforce and administer the provisions of these regulations in addition to his duties of review and approval of plans as required by the Massachusetts State Building Code (780 CMR).

(b) Building Official: The building commissioner or the inspector of buildings shall enforce all applicable provisions of 780 CMR, with the exception of the duties required and reserved to the head of the fire department.

(6) Application for Permit. An application for a permit shall be submitted to the building official prior to the installation of any portion of an automatic sprinkler system and shall describe all structural, mechanical, and electrical work required to conform to these regulations and the provisions of 780 CMR. The permit application shall contain a general description of any asbestos removal or encapsulation. The application for permit shall be submitted in such a form as the building official may prescribe and shall be accompanied by the required permit fee. The building official shall forward a copy of the permit application to the head of the fire department for his records. The codes in effect at the time of issuance of the permit shall apply.

(7) Plans and Specifications. The application for the permit shall be accompanied by three (3) copies of specifications and plans drawn to scale, with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. The plans shall contain a certification by a Massachusetts registered professional engineer that the existing structure can

support the weight of the sprinkler system and that the method of support of the piping is adequate. The automatic sprinkler system plans shall bear the seal and signature of a Massachusetts registered professional engineer. The building official shall forward one (1) copy of the plans and specifications to the head of the fire department for his review and approval.

(8) Compliance. No work shall proceed until the permit has been issued by the building official and with the approval of the head of the fire department. The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of 780 CMR or 530 CMR, except as specifically stipulated by modification or legally granted variation in accordance with 530 CMR 2.04. All work shall conform to the stamped or endorsed application and plans for which the permit has been issued.

(9) Approved Materials and Equipment. All materials, equipment, devices, systems, or methods of installation for automatic sprinkler systems shall be subject to the approvals as required by 780 CMR 110.0 unless herein provided by 530 CMR 2.00.

(10) Accepted Engineering Practice. If not otherwise specified in 530 CMR, the specifications regulations, and standards listed in the appropriate appendices of 780 CMR shall be deemed to represent accepted engineering practice with respect to the material, equipment, device, system or method of installation for automatic sprinkler systems therein specified.

(11) Variances/Modifications. When there exists manifest injustice involved in carrying out structural or mechanical provisions of 780 CMR or 530 CMR regarding the installation of automatic sprinkler systems in buildings or structures as controlled by these regulations, the Automatic Sprinkler Appeals Board may allow a variance or a modification from such provisions as applied for by the owner as provided in 530 CMR 2.04, provided that the decision of the appeals board shall not conflict with the general objectives of 780 CMR, 530 CMR and its enabling legislation and provided that no decision shall be considered by any person or agency as a precedent for future decisions.

2.02: Definitions

(1) Meaning. Unless otherwise expressly stated, the following terms shall, for the purpose of 530 CMR 2.00, have the meaning indicated in 2.02.

(2) Tense, Gender, and Number. Words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

(3) Terms not Defined Herein. Refer to 780 CMR, and where terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

Accepted Engineering Practice. That which conforms to accepted principles, tests, or standards of nationally recognized technical or scientific authorities.

Alley. A secondary thoroughfare less than thirty (30) feet in width dedicated for the public use of vehicles and pedestrians, affording access to abutting property.

Approved. Approved by the head of the fire department, the building official, or other authority having jurisdiction.

Approved Material, Equipment and Methods. Approved by the Massachusetts Board of Building Regulations and Standards or by an agency approved by the Massachusetts Board of Building Regulations and Standards.

Automatic Sprinkler. A device, connected to a water supply system, that opens automatically at a predetermined fixed temperature and discharges a spray of water.

Automatic Sprinkler System. A sprinkler system for fire protection purposes, is an integrated system of underground and/or overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply. The portion of the system above ground is a network of specially or hydraulically designed piping installed in a building, structure, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area. The system includes all required alarm and supervisory devices as required by applicable provisions of 780 CMR.

Building/Structure. A structure enclosed within exterior walls or firewalls, built, erected and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property. For the purpose of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature. The word "building" shall be construed where the context requires as though followed by the words "or part or parts thereof".

Building Official. The officer or other designated authority charged with the administration and enforcement of 780 CMR. Building official as used herein includes the building commissioner or the inspector of buildings and the local inspector.

Fire Safety Commission. The Fire Safety Commission established by M.G.L. c. 6, s. 200.

Floor Area, Gross. Gross floor area shall be the floor area within the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features.

Grade. A reference plane representing the average of finished ground level adjoining the building at all exterior walls.

Gross Square Footage. The sum total of the floor areas (gross) of a building or structure for all floor levels including basements and sub-basements, measured from the outside walls irrespective of the existence of interior fire resistive walls, floors and ceilings.

Head of the Fire Department. The chief executive officer of the fire department in a city, town or fire district having such an officer, otherwise the fire commissioner, board of fire commissioners or fire engineers, or commissioner of public safety; and in towns not having a fire department, the Chief engineer, if any, otherwise the chairman of the board of selectmen.

Height, Building. The vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one (1) street, the height shall be measured from the average of the grades at the center of each street front. For exceptions reference 780 CMR 308.3..

High Rise Building or Structure. Those buildings or structures which are controlled by 530 CMR 2.01 (2) and (3).

Historic Buildings. See 780 CMR 436.2.

Mean Grade. See grade.

Owner. Every person who alone or jointly or severally with others (a) has legal title to any building or structure; or (b) has care, charge, or control of any building or structure in any capacity including but not limited to agent, executor, executrix, administrator, administration, trustee or guardian of the estate of the holder of legal title; or (c) lessee under a written letting agreement; or (d) mortgagee in possession; or (e) agent, trustee or other person appointed by the courts. Each such person is bound to comply with the provisions of these regulations.

Permit. An official document or certificate issued by the authority having jurisdiction authorizing performance of a specified activity.

Person. Every individual, partnership, corporation, firm, association, trustee or group, including a city, town, county, authority or other governmental unit, owning property or conducting any activity regulated by these regulations.

Street. A public thoroughfare (street, avenue, boulevard, alley) which has been dedicated for public use.

Structure. (see building)

Written Notice. A notification in writing delivered in person to the individual or parties intended, or delivered at, or sent by certified or registered mail to the last residential or business address of legal record.

2.03: Implementation

(1) **General.** Any owner of a building or structure constructed prior to January 1st, 1975, which building or structure exceeds seventy (70) feet in height above mean grade shall submit to the head of the fire department of their city or town wherein such building or structure is located a statement of intent, schedule, and Fire Protection Systems Data Sheet as provided by the Commission for the installation of a complete automatic sprinkler system in compliance with the provisions of M.G.L. c. 148, s. 26A1/2. Such information must be filed with the head of the fire department and the Commission within forty-five (45) days of the filing of the final regulations with the state secretary as provided in M.G.L. c. 30A, and shall contain a compliance schedule that is in accordance with the dates included in M.G.L. c. 148, s. 26A1/2.

(2) **Notice.** Upon the filing of 530 CMR 2.00 with the state secretary, the head of the fire department shall serve notice on the building or structure owner or the person responsible that said building or structure is within the scope and applicability of these regulations. The notice shall be in writing and shall be served on the person responsible:

- (a) personally, by any person authorized by the head of the fire department; or
- (b) by sending him a copy of the order by registered or certified mail return receipt requested.

(3) **Schedules.** Any building or structure subject to the provisions of these regulations shall comply with one (1) of the following three (3) schedules:

(a) Schedule 1

- 1. one-third of the gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1991;
- 2. two-thirds of the gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1994;
- 3. and the entire gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1997.

(b) Schedule 2

- 1. the entire gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1994;
- 2. the owner of any building or structure affected by 530 CMR 2.03(3) if he elects to comply with Schedule 2 as provided in Section 2.03(3)(b)1. shall be deemed to have waived his right to any extension of time.

(c) Schedule 3

- 1. the building or structure shall be equipped with automatic sprinklers in all corridors, lobbies, exit accessways, elevator lobbies, exitways, stairways, places of assembly. The installation of automatic sprinklers in the above areas by January 1st, 1991 shall be considered equivalent to complying with Section 2.03(3)(a)1.
- 2. two-thirds of the gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1994;
- 3. and the entire gross square footage of the building or structure shall be equipped with automatic sprinklers by January 1st, 1997.

(4) Owner's Report. At the end of each calendar year the building owner shall submit to the head of the fire department and the Commission a statement of progress that summarizes all automatic sprinkler equipment installed if any, including but not limited to, the square footage covered by the automatic sprinkler equipment and locations of said equipment. The head of the fire department may request additional summaries between the start and end of the calendar year. The building owner shall submit the requested summary within seven (7) days of said request to the head of the fire department and the Commission. All summaries shall carry the seal and signature of a Massachusetts notary public.

(5) Inspections. The head of the fire department or persons authorized by the head of the fire department shall have the right to inspect any building or structure affected by these regulations for compliance with said regulations and provisions of M.G.L. c. 148.

2.04: Appeals

(1) Automatic Sprinkler Appeals Board. Whoever is aggrieved by the head of the fire department's interpretation, order, requirement, direction or failure to act under the provisions of M.G.L. c. 148, s. 26A1/2, may appeal directly to the Automatic Sprinkler Appeals Board as provided in 530 CMR 2.04 (4). In the event an appeal is taken directly to the Automatic Sprinkler Appeals Board from an interpretation, order, requirement, or direction, said appeal shall be filed as specified in Section 2.04 (4) with the Automatic Sprinkler Appeals Board not later than forty-five (45) days after the service of notice thereof the interpretation, order requirement or direction. In the event the appeal is taken to the Automatic Sprinkler Appeals Board for the failure to act, the appeal shall be taken not later than forty-five (45) days after a request to act has been made by the aggrieved person in writing and served upon the head of the fire department of the local fire department which fails to act.

(2) Membership of Appeals Board. The Automatic Sprinkler Appeals Board, hereinafter referred to as "the Board", shall be selected from the membership of the Fire Safety Commission. The chairman of the Commission shall designate any five (5) members of the Commission to act as The Appeals Board to hold a public hearing under 2.04 and to hear testimony and take evidence. The chairman of the Commission shall select one (1) of the five (5) members to act as chairman of The Appeals Board. For the five (5) member Board every decision shall require the concurrence of at least four (4) of the five (5) members of the Board.

(3) Clerk. The Commissioner of the Department of Public Safety, or his designee, shall designate one (1) of the staff of the Commission to act as clerk to the Board. The clerk shall keep a detailed record of all decisions and appeals and a docket book on file showing the name of each appeal properly indexed and the disposition of the appeal. Said docket book shall be open to public inspection at all times during normal business hours.

(4) Appeals Procedure for the Automatic Sprinkler Appeals Board. Appeals shall be entered on forms provided by the Commission and shall be accompanied by an entry fee of one hundred dollars (\$100) or such other amounts as may be determined by the Commission from time to time. The appeal shall be signed by the appellant or his attorney and shall note the name and address of the person or agency in whose behalf the appeal is taken and the address wherein service of notice for the appellant is to be made. The appeal shall also state in detail the interpretation, order, requirement, direction or failure to act which are the grounds of the appeals as well as the particular section or sections of 530 CMR and M.G.L. c. 148, s. 26A1/2 which are involved in the appeal and the reasons for the appellant advances supporting the appeal. A copy of the appeal shall be served in accordance with 530 CMR 2.03(2)(a) or (b) by the appellant on the head of the fire department from whose action or inaction the appeal is taken, on or before entry of the appeal. An affidavit, under oath, that such copy has been served shall be filed with the Board forthwith by the appellant.

(5) Stay of Proceedings. Entry of an appeal shall stay all proceedings in furtherance of the action or failure to act appealed from, unless the head of the fire department charged with the administration or enforcement of these regulations presents evidence and the Board, or a five (5) member panel or a single member of the Board, appointed by the chairman for said purpose, finds that upon the evidence presented a stay would involve imminent peril to life or property. In such an event, stay of all proceedings shall be waived or the Board or five (5) member panel or single member may order such other action necessary to preserve public safety. Before waiving the stay or proceedings, the Board or five (5) member panel or single member of the Board, appointed by the chairman for said purpose, shall hold a hearing and give the appellant and the head of the fire department or any person claiming that a stay would involve imminent peril to life or property, notice in writing of the hearing not less than twenty-four (24) hours before said hearing.

(6) Documents. Upon entry, the clerk shall request in writing from the state, city, regional or town officer in charge of the matter on appeal, a copy of the record and all other papers and documents relative to the appeal to be transmitted forthwith to the Board. Said state, city, regional or town officer shall upon receipt of the request of the Board transmit forthwith all the papers and documents and a copy of the record relating to the matter on appeal.

(7) Hearings. The chairman of the board shall fix a convenient time and place for a public hearing. Said hearings shall be held not later than thirty (30) days after the entry of such appeal, unless such time is extended by agreement with the appellant. Any such party may appear in person or by agent or by attorney at such hearing. The chairman or clerk shall give notice of the time and place of said hearing to all parties to the hearing and to anyone else requesting notice in writing at least ten (10) days prior thereto. Failure to hold a public hearing within thirty (30) days shall not affect the validity of the appeal or any decision rendered. The Board or five (5) member panel in its hearings conducted under this section shall not be bound by strict rules of evidence prevailing in courts of law or equity.

(8) Decisions. If the appeal is conducted by a five (5) member panel, then the concurrence of four (4) of the five (5) members holding the public hearing shall be required. On the finding of manifest injustice, the Board may grant a variance from any provision of M.G.L. c. 148, s. 26A1/2 or from any provision of these regulations and may determine the suitability of alternate materials and methods of automatic sprinkler installation and may provide interpretations of said s. 26A1/2 and 530 CMR; provided however, that the Board decisions shall not conflict with the general objectives of said Section 26A 1/2 and these regulations.

The Board shall vote at such hearing, and issue a decision or order reversing, affirming or modifying in whole or in part the order, interpretation, requirement, direction or failure to act which is the subject matter of the appeal. All decisions shall be in writing and state findings of fact, conclusions and reasons for decisions. Every decision shall indicate thereon the vote of each member and shall be signed by each member voting. A decision shall not be considered by any person or agency as a precedent for future decisions.

Notice of and a copy of the decision shall be sent by the clerk to all parties to the appeal and anyone requesting in writing a copy of the decision.

(9) Enforcement. Upon receipt of the decision of the Board, the parties to the appeal shall take action forthwith to comply with the decision unless a later time is specified in the decision.

(10) Appeals from Automatic Sprinkler Appeals Board. Any person aggrieved by a decision of the Automatic Sprinkler Appeals Board may appeal to a court of law or equity in conformance with M.G.L. c. 30A, s. 14.

REGULATORY AUTHORITY

530 CMR 2.00: M.G.L. St.1986, c. 633.

EXHIBIT E

Dear Fellow Huron Tower Residents:

April 4, 1989

RECEIVED BY
OFFICE OF CITY
1989 MAR 25 AM 10:01
CAMBRIDGE MA 02141

We are writing to you in regard to the recently proposed rent increase at Huron Towers. According to the Huron Towers Management Memo of March 31, 1989, the increase is to cover rising water, sewage and insurance costs. We do not doubt that these costs are on the increase. However, as many of you will recall, the even larger increase of less than a year ago was to have been used primarily to "replace component parts" of our apartments. Remodeling the lobby, constructing additional office space, and increasing the number of staff at Huron Towers was not mentioned. This leads us to question the motivation behind the currently proposed increase. These two large increases seem unfair because the quality of our living space and the service by Huron Towers personnel has by no means improved in proportion to the increase. To illustrate the rapid acceleration in Huron Towers rent, if this proposed increase is approved, the basic rent of a two-bedroom apartment will have increased from \$395.00 in July 1986 to \$565.00 in 1989, a rate of 42% in 3 years.

These increases will lead to hardship for many residents, including those on fixed incomes, students, and moderate income individuals and families. Ultimately, they will no longer be able to afford to live here. This is obviously contrary to the stated mission of the Department of Housing and Urban Development (H.U.D.) which is to "provide decent housing and suitable living environment . . . principally for persons of low and moderate income."*

For these and many other reasons, we feel that we must respond to the proposed rent increase at Huron Towers. Those of us writing this letter to you are also writing to our elected officials and H.U.D. We urge you to do the same. It is your right to voice your individual concerns. By doing this, you can help show those who have the power to grant such rent increases why the currently proposed increase is unwarranted.

* Information U.S.A., by Edward Lasko

Anthony J. ...
Greg M. ...
James J. ...
Jeffrey Scott ...
Lynette L. ...

Michael ...
J. C. ...
Stanley ...
Lawrence ...
Elizabeth ...
William J. ...
Janis E. ...

EXHIBIT F-1

WILLIAM J. DREIER
700 HURON AVENUE (SUITE 19C)
CAMBRIDGE, MA. 02138

RECORDED BY
OFFICE OF CITY CLERK

1989 APR 25 PM 2:01

CAMBRIDGE MA.

February 4, 1986

Huron Towers Co.
700 Huron Avenue
Cambridge, Ma. 02138

Attn: Ms. Suzanne Dziuba, Property Manager

Dear Ms. Dziuba:

I am writing in response to your letter dated January 28, 1986, which was sent in reply to my incident report of January 22, 1986.

Please allow me to provide you with the following information, which was requested in your letter in regards to the vehicle mentioned in my incident report. I would like to point out however, that the particulars you request were previously given to Ms. Lisa Deller by my wife several months ago. If the information had not been provided prior to this date as you suggest your records indicate, then it is beyond me how our unauthorized vehicle could have gone undetected in the garage over the past several months.

In any event the 1971 Buick Skylark, which is registered to me, replaced the 1974 Dodge Monaco in September of 1985. Ms. Deller can probably recall assigning the Buick space #31 on the roof level at our request to be used in conjunction with space #202 due to the history of uncontrollable flooding on the G-1 level of the garage, when the sewer system backs up as a result of occasional heavy rains. There has also from time to time been the additional problem of some sort of a liquefied substance dripping onto our vehicle when using space #202. I might add that, to the best of my knowledge, neither of the aforementioned problems have as yet been corrected.

In regards to the Parking Authorization Form which you mentioned in your letter, I am convinced that you don't for one moment think that I would turn over a signed instrument to Huron Towers Co., which if so done would release it and/or it's representatives/agents from all possible responsibility/liability for the safety of our vehicle, the contents contained therein, and/or more importantly the safety of my family or guests lawfully using any of the common areas of the building.

With respect to your acknowledged awareness of the occasional criminal activity in the garage, may I remind you that in many cases over the past several years the Courts have held that an owner of a residential building has a legal obligation to exercise a duty of reasonable care to control access to and from the common areas, and to

provide security adequate to prevent foreseeable unauthorized access by third-parties. You should also realize that security-related lawsuits have been increasing at a rate of 300 percent per year since 1967. The Courts have recently even gone so far as to note that the "prior similar incidents" rule as it has been applied to past cases to establish that a crime was "reasonably foreseeable" as a prerequisite to establishing an owners' liability is defective in three ways:

... The owner should not be permitted to get "one free assault" before being held liable for an attack which takes place on the property.

... The rule leads to arbitrary and differing interpretations of how "similar" the previous incidents must be.

... The mere fact that such a crime has not yet occurred on the property doesn't necessarily mean that a crime isn't reasonably foreseeable.

There have existed for an unreasonable length of time many serious breaches in security at Huron Towers, which you know or should know will or could result in additional future criminal activity in the common areas. When you fail or refuse to recognize and/or act in a timely manner to correct the obvious, then you create on behalf of the owners a liability as a result of the negligent omission to correct the deficiencies.

It has been my experience that most people miss out on entitled compensation due them, as a result of the criminal acts of a third-party, because they do not know their rights under the law.

Frankly I have just about reached the point, where I see a security survey by an independant Certified Protection Professional as the only recourse left to protect both my families interests and those of the other residents in the building.

If you would sincerely like any additional comments/suggestions and my continued support in matters relating to security/loss prevention, as it applies to maintaining the integrity of the building, you may telephone me to discuss your concerns at any time.

Very truly yours,


William J. Dreier

EXHIBIT F-2

WILLIAM J. DREIER
700 HURON AVENUE (SUITE 19C)
CAMBRIDGE, MA. 02138

RECEIVED BY
PROPERTY CLERK
1986 APR 25 PM 2:01
CAMBRIDGE MA.

March 5, 1986

Huron Towers Co.
700 Huron Avenue
Cambridge, Ma. 02138

Attn: Ms. Suzanne Dziuba, Property Manager

Dear Ms. Dziuba:

I am writing once again to you as a result of not hearing from you in response to my letter dated February 4, 1986.

As a result of my firm belief that First Realty Management Corp. has to date negligently failed to exercise a duty of reasonable care to control access to and from the common areas of the building commonly known as Huron Towers in Cambridge, and also its failure to provide security adequate to prevent foreseeable unauthorized access by third-parties, I have taken and am forwarding to you the enclosed photographs for your review and comments if you so desire.

Exhibit A, B, C, D, - Show a door next to the overhead garage doors on the G-1 level of the garage, which is a means of egress in the event of a fire. The following should be noted while viewing these photographs:

and E

- 1) The door has no exit sign in place.
- 2) The door should open outward instead of inward.
- 3) The automatic closing mechanism is not operating.
- 4) The door and its frame need to be repaired or replaced. The door does not close without being forced.

Ms. Dziuba

March 5, 1986

- 5) The door is rarely closed due to its condition, and obviously never checked by any of the Huron Towers staff and/or security at any time.

Exhibit F & G

- Show the door at the end of the fenced in area of the G-1 level of the garage, which is also a means of egress in the event of a fire. Please also note the following:

- 1) The door has no working exit sign in place. Although it can't be seen from the available photos, it is a fact.
- 2) The door has no automatic closing mechanism.
- 3) A perfectly good piece of hardware is being wasted on the door, as it is not being used, I assume because of the fact that it is impractical as a result of the doors location.
- 4) This door also is rarely found closed, and again obviously never checked by any member of the Huron Towers staff and/or security at any time.

Exhibit H

- Shows the gate to the fenced in back yard in the open position. In addition, although not visible by way of the available photos, there exists a large opening in that portion of the fence on the top of the hill to the right of the childrens playground.

Exhibit I

- Shows the overhead garage doors in the open position. At the time that this photograph was taken, these doors had been opened for several days. They are frequently placed in an unattended open position, and left open for several hours and even days at a time, with no mechanical malfunction as the reason.

Exhibit J

- Shows the roof level garage gate in the

Ms. Dziuba

March 5, 1986

open position. At the time this photo was taken, this gate too had been open for over a week.

- Exhibit K - Shows where the fence enclosing the garage area on the G-3 level stops. Easy access to this level, and then all other levels of the garage, is possible at this point also.
- Exhibit L, M, N, O, and P - Show flammable items being improperly stored in the area of the garage which is used for the parking of motor vehicles.
- Exhibit Q, R, S, & T - Shows the extent of the surface deterioration of the ceiling on the G-1 level of the garage. All of the levels show similar deterioration.
- Exhibit U - Shows another broken closing mechanism on the door leading into the buildings elevator area from the G-1 level of the garage. Again, this door too may almost always be found open and obviously is rarely checked by the Huron Towers staff and/or security.

Prior to the mechanism being fixed the other day, it had been broken for almost a week.

Given the history of vandalism, thefts, assaults, and even rapes in and/or around this 250 unit community, I strongly urge you to take positive action to make this community the reasonably safe place that it once had a reputation of being.

Your comments are as always encouraged.

Very truly yours,


William J. Dreier

Enclosures

cc: Mr. Jan Brandin, CPM
Vice President

EXHIBIT G

WILLIAM J. DREIER
700 HURON AVENUE (SUITE 19C)
CAMBRIDGE, MA. 02138

RECEIVED BY
CITY CLERK

1989 APR 25 PM 2:01
CAMBRIDGE MA.

December 1, 1988

Huron Towers Co.
700 Huron Avenue
Cambridge, Ma. 02138

Attn: Mrs. Susan Rees, Resident Property Manager

Dear Mrs. Rees:

Your attention is invited to a telephone conversation that we had a couple of weeks before Thanksgiving. During that conversation I expressed my desire for you to initiate two common area work orders.

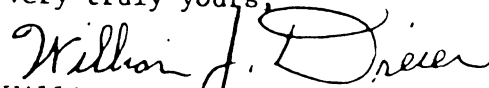
The first was for the repair of the automatic door closing mechanism and the wall that encases the wiring, which are located next to apartment #19B. The second work order was to address the deplorable condition of the common area hallway floors throughout the building, with the exception of the lobby area which receives considerable attention, but in particular those on the 19th floor.

Please advise as to the anticipated repair completion date of said automatic door closing mechanism and of the wall which encases its wiring. Would you also inform me as to whether or not I can expect the completion of the work order for the hallway floors before the Christmas and New Year holidays.

Aside from the work orders, the time has unfortunately come again for me to focus my thoughts on the buildings security related issues. I would like to sit down with you to discuss these concerns.

I look forward to hearing from you at your earliest convenience.

Very truly yours,


William J. Dreier

WJD/ml

8.

S-318

Comm. from William J. Dreier, transmitting a copy of his letter to the US Dept. of Housing & Urban Development in opposition to the application of Huron Towers for a rent increase.

In City Council,

May 1, 1989

Placed on file

*Mr. Dreier, Mrs. Daniel + Susan Rees, Resident
Property Mng. notified of 5/22 hearing
by letters dated 5/15/89. - copies with in
with*

*Mr. Dreier notified of rescheduled
hearing to June 17, 1989 at 7pm
by letter dated 6/8/89 - copies with*