

City of Cambridge

MASSACHUSETTS

In City Council _____ 199

December 6

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

3

6



City of Cambridge

6.

IN CITY COUNCIL

October 1, 1990

COUNCILLOR WALSH

WHEREAS: In Section 9 of Senate Bill Number 1580, April, 1990 (An Act Regulating Condominium Conversion and other Removals of Controlled Rental Units in the City of Cambridge), copy attached, the City of Cambridge was mandated, among other things, ". . . to examine and consider these issues and any other issues it deems relevant to the administration and enforcement of rent control, particularly as relates to the availability of decent and affordable housing for low and moderate income tenants and the problems experienced by so-called small property owners of rent controlled property who owner-occupy their property and are not actively engaged in the business of owning and renting property; and shall make findings of fact and prepare recommendations, based upon the findings, and transmit both the findings and the recommendations to the Joint Committee on Local Affairs, not later than July 1, 1991; now therefore be it

ORDERED: That the City Manager forward to the Joint Committee on Local Affairs of the Massachusetts Legislature an interim status report of progress on these matters up to the present date, and invite the membership of the Joint Committee on Local Affairs to attend a regularly scheduled Thursday evening meeting of the City Council's Rent Control Committee as soon as possible; and be it further

ORDERED: That the City Manager report back to this City Council within two weeks to confirm that both elements of this Order have been executed by providing the entire City Council a copy of the interim status report and the response of the Joint Committee to the extended invitation.

In City Council October 1, 1990.
Failed of adoption by a yeas and nays vote:-
Yeas 3; Nays 6; Absent 0.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton
City Clerk

7 provided that any family seeking to avail itself of this exemption
8 swears by affidavit, under oath, that it owns or has a beneficial
9 interest in only one building containing rent controlled units in
10 the City of Cambridge.

11 For the purposes of this section, "owner of record" shall mean
12 any owner named on the deed recorded at the Middlesex Registry
13 of Deeds for the building for which this exemption is sought
14 provided that the owner of record is an individual and not a
15 corporate, trust or other business entity. This exemption shall not
16 be available to corporations, trusts or other business entities.

17 For the purposes of this section, "family" shall mean an
18 individual, an individual's spouse, parents, children, brother,
19 sister, grandchildren, great grandchildren, father-in-law, mother-
20 in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-
21 law.

22 For the purposes of this section, "continuous occupancy" shall
23 mean the continuous physical residence by the owner of record
24 or a family member of the owner of record of the building from
25 on and after January 1, 1970 until January 1, 1990. The exemption
26 shall not apply to any building that was not occupied by an owner
27 of record or a family member of the owner of record for a period
28 of more than twelve months, in the aggregate, between January 1,
29 1970 and January 1, 1990; and, in no event, shall the exemption
30 apply to any building that remained unoccupied by an owner of
31 record or a family member for any period of time where a tenant
32 broke the chain of continued occupancy by the owner of record
33 or a family member.

1 SECTION 9. The City of Cambridge, in consultation with
2 organizations representing owners of rent controlled properties
3 in Cambridge, rent controlled tenants and other interested parties,
4 shall examine and consider the following rent control issues,
5 particularly as they affect so-called small owners of rent controlled
6 properties in Cambridge: (1) whether the capital improvement
7 rent adjustment procedure, set forth in regulation 75 of the
8 Cambridge Rent Board, operates fairly; (2) whether the fair base
9 rent formula, set forth in regulation 75-02 of the Cambridge Rent
10 Board, should be updated to provide for new minimum rents; (3)
11 whether, under what circumstances and to what degree, owners

12 of rent controlled properties should be allowed to pass along
13 increases in property taxes, water and sewer fees and pass along
14 increases in property insurance costs to tenants; (4) whether the
15 allowable management fee for owner-occupiers of rent controlled
16 properties should be increased; (5) whether prospective employees
17 and hearing officers of the Cambridge Rent Control Board should
18 be prohibited from owning or leasing rent controlled property in
19 the City of Cambridge. The City of Cambridge shall examine and
20 consider these issues and any other issues it deems relevant to the
21 administration and enforcement of rent control, particularly as
22 relates to the availability of decent and affordable housing for low
23 and moderate income tenants and the problems experienced by
24 so-called small property owners of rent controlled property who
25 owner-occupy their property and are not actively engaged in the
26 business of owning and renting property; and shall make findings
27 of fact and prepare recommendations, based upon the findings,
28 and transmit both the findings and the recommendations to the
29 Joint Committee On Local Affairs, not later than July 1, 1991.

1 SECTION 10. If any section or any provision of any section
2 of this act or the application of such section or any such provision
3 of any such section to any person or circumstance shall be held
4 invalid, the validity of the remainder of the act and the
5 applicability of such section or such provision of such section to
6 other persons or circumstances shall not be affected thereby;
7 provided also that nothing herein shall be construed to limit the
8 authority of the city and the rent control board to regulate removal
9 of controlled rental units as previously judicially determined.

1 SECTION 11. This act shall take effect upon its passage.



City of Cambridge

#4

IN CITY COUNCIL

Councillor Walsh

October 1, 1990

WHEREAS: In Section 9 of Senate Bill No. 1580, April, 1990 [An Act Regulating Condominium Conversion and other Removals of Controlled Rental Units in the City of Cambridge] (copy attached), the City of Cambridge was mandated, among other things, "...to examine and consider these issues and any other issues it deems relevant to the administration and enforcement of rent control, particularly as relates to the availability of decent and affordable housing for low and moderate income tenants and the problems experienced by so-called small property owners of rent controlled property who owner-occupy their property and are not actively engaged in the business of owning and renting property; and shall make findings of fact and prepare recommendations, based upon the findings, and transmit both the findings and the recommendations to the Joint Committee On Local Affairs, not later than July 1, ~~1990~~; now therefore be it 1991.

ORDERED: That the City Manager forward to the Joint Committee on Local Affairs of the Massachusetts Legislature an interim status report of progress on these matters up to the present date, and invite the membership of the Joint Committee on Local Affairs to attend a regularly scheduled Thursday evening meeting of the City Council's Rent Control Committee as soon as possible; and be it further

ORDERED: That the City Manager report back to this Council within two weeks to confirm that both elements of this Order have been executed by providing the entire Council a copy of the interim status report and the response of the Joint Committee to the extended invitation.

(ATTACHMENT)



City of Cambridge

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IN CITY COUNCIL

October 1, 1990

COUNCILLOR WALSH

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9 of controlled rental units as previously judicially determined.

1 SECTION 11. This act shall take effect upon its passage.

Order # 6 F-550
Councillor Walsh re: Senate Bill #1580.

In City Council,

Oct. 1, 1990

Filed of adoption
3-6-0.