

Ms. Semenoff responded that the Rent Control Act defines the meaning of a rent controlled unit, and stated that the Rent Control Board does not generally attempt to change or overrule the decision of another agency.

Ms. Drury responded by stating that Regulation 1301(b) defines buildings and subdivision of property.

Councillor Walsh further questioned the involvement of the Rent Control Board relative to the issuance of demolition permits.

Ms. Semenoff responded by stating that the removal permit outlines what should happen in these cases and further stated that after a Board of Survey recommends or makes a determination that a building should be demolished, the Board generally signs off as a matter of policy. She further stated that anyone can apply for a demolition permit who owns property, but that does not necessarily mean the property should be demolished or the units removed from the rental market.

Councillor Walsh questioned Ms. Semenoff as to whether she thought an ordinance would take precedence over a State law.

Ms. Semenoff responded by stating that, in her opinion, if an ordinance was inconsistent with State law, she believed the law would supersede it.

Councillor Walsh further stated that the Rent Control Board should not interfere with any State agency in the performance of its duty.

Ms. Semenoff disagreed.

Councillor Walsh questioned capital improvements and the time it takes for questions to be heard and decisions to be made.

Ms. Semenoff responded by stating that most cases seeking rental adjustments are generally heard within 90 days and decisions rendered. She further stated that the median time for a case to be heard is 81 days; overall time 69 days and that currently 61 cases out of approximately 1,200 are pending currently, of which are over one year old.

At this time, Councillor David Sullivan stated that he believed a formal vote of the Council would be required to ask for any specific information not available to the general public and that the Committee does not have the right to ask for this information.

Councillor Walsh acknowledged Councillor David Sullivan's statement.

The hearing was adjourned at 8:18 p.m.

For the Committee,

A handwritten signature in cursive script, appearing to read "William H. Walsh".

Councillor William H. Walsh
Chairman

Vice-Mayor Vellucci at this time stated that he was concerned with the poor, as well as with the landlords, because even individuals who are earning two salaries still cannot pay high rents or buy property in Cambridge. Furthermore, he stated that many landlords he knows are poor and are not getting high rents, and that many are upset with him because they are mad at the system.

At this time Councillor Sheila Russell agreed with the comments of Vice-Mayor Vellucci and questioned whether or not the Rent Control Board could request income information from tenants of rent-controlled properties in the same manner in which they seek it from landlords seeking a rent adjustment.

Councillor Walsh at this time stated that he believes Chapter 36 of the Acts of 1976 allows the Rent Control Board to exempt certain rental units from Rent Control.

Ms. Semenoff responded by stating that she believed that was a policy issue that must be decided by the City Council. She further stated that she believes the Council could define luxury units and exempt them from Rent Control. Ms. Semenoff further stated she would provide some data to the City Council relative to the amounts of rent being collected throughout the City.

Councillor Wolf stated that the concept of defining luxury units rationally makes some sense, but she believed that landlords would attempt to increase rent to qualify for exemption.

Councillor Walsh stated some consideration should be given to current HUD income guidelines. He further questioned whether or not an appropriate rental base in 1970 was established for those units adjusted since the inception of Rent Control and whether full credit for renovations was given to landlords who conducted renovations in rent-controlled properties.

Ms. Semenoff responded by stating that if a landlord does Building Code work as well as associated work, full credit is given to the landlord. But, however, if "gut rehab" is done for the sole purpose of renovation, full credit is not generally given.

Councillor Walsh questioned whether or not people should be allowed to repair their own homes in a way they see fit, without having to go before the Rent Control Board to seek a removal permit.

Ms. Semenoff responded by stating that possibly a dollar limit could be established or specific work could be defined to accomplish the work.

Councillor Walsh further stated that several approaches to this work could be made, but should be done so as a public policy issue. Councillor Walsh further questioned that if another agency within the City instructed a landlord to repair his home or to make some kind of adjustment within his home, such as merging or separating units, would the Rent Control Board refuse to issue a permit.

City of Cambridge

In City Council..... January 28, 1987

The Rent Control **Committee** conducted a public hearing on Thursday, January 15, 1987 beginning at 5:30 p.m. in the Sullivan Chamber, City Hall. Councillor William Walsh, Chairman of the Committee opened the hearing and stated that the purpose of the hearing was to receive from the Rent Control Board an overview of the policies and practices of the Board as it relates to the general operation of the Board. He further stated he believed this meeting was important in order for the Committee to get a sense of what the Board believes its job is as it relates to the implementation of Rent Control.

At this time, the Committee heard from Margaret Drury, Executive Director of the Board and Ellen Semenoff, Chair of the Rent Control Board, who provided an overview to the Committee relative to the Board's operations in general, with specific attention being addressed to the recent issue of rent adjustments for all Class D properties; the feeling of the Board relative to its implementation of Chapter 36 of the Acts of 1976, as well as pertinent local ordinances that relate to Rent Control, and the length of time it currently takes to hear cases and make a decision before the Board.

Ms. Drury indicated that the Board has received some 200 appeals to the recent adjustment for Class D properties. Since the inception of Rent Control, some 7,000 have received a general adjustment out of 17,000 units throughout the City.

Vice-Mayor Vellucci questioned the number of persons in rent-controlled properties in Wards 7 & 8, and if any information was available for the Council's review.

Ms. Semenoff responded by stating that the Board could make available the number of rental units within that area.

Councillor Walsh stated that it was his belief that those properties containing eight units or more within Wards 7 & 8 received a 48% decrease in taxes, and consequently received a comparable decrease in rents.

Mr. Fred Cohen, a member of the Rent Control Board, stated that within Wards 9 & 10, prior to the inception of Rent Control, that rents were at a higher rate than in other parts of the City and that consequently, rents would be reduced throughout the City.

Councillor Walsh requested that data be provided on property values in Wards 9 & 10.

Ms. Drury responded by stating that the Rent Control Board would comply with the request.

In response to a question by Councillor Walsh relative to a 20% cap on any rental increase and the consideration given elderly residents throughout the City on fixed income, Ms. Drury stated that the Rent Control Board was currently working with the Cambridge Housing Authority relative to the feasibility of giving priority to elderly residents on the Emergency Placement List for those individuals who cannot afford to pay the recently enacted general adjustment.

REPORT

Committee on Rent Control

Re: overview from the Rent Control Board of
the policies & practices fo the Board as they
relate to the general operation of the Board.

In City Council,

January 26, 1987

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