



City of Cambridge Tenants Rights and Resources

City of Cambridge Tenants Rights and Resources Notification Ordinance Cambridge Municipal Code Chapter 8.71 Frequently Asked Questions

Summary

The City of Cambridge Tenants Rights and Resources Ordinance, Chapter 8.71 of the Cambridge Municipal Code was established to inform and educate both residential tenants and landlords as well as management companies, realtors, and all others involved in renting and leasing residential dwelling units in the City of Cambridge of their rights and responsibilities as a landlord or tenant. The purpose of the Ordinance is to ensure that housing information and resources are widely disseminated and that best practices are implemented at the start of and throughout tenancies in order to maintain housing stability for the City's residents, neighborhoods, and community.

The Ordinance was passed by the City Council on September 14, 2020 and is effective 30 days following passage: October 14, 2020 (the "Effective Date"). The link to the full Tenants Rights and Resources Notification Ordinance can be found at www.CambridgeMA.gov/tenantsrights

Frequently Asked Questions

The following responses to frequently asked questions are not a substitute for obtaining legal advice or for reviewing and following the Ordinance which speaks for itself.

As a landlord/management company/foreclosing owner what do I have to do once this takes effect?

At the inception of a new tenancy and if you are terminating an existing tenancy on or after the Effective Date, you are required to provide your tenants with the Information, including a notice of basic housing rights and resources, that will be prepared by the City of Cambridge. The Information may be downloaded from the City Website or picked up at the Cambridge Office of the Housing Liaison at 362 Green Street, 1st Floor, Cambridge MA 02139 during regular City business hours.

What is the timing of when I must provide the information?

For new tenancies, the Information must be provided either when a tenant signs a lease or enters into a tenancy agreement for the first time or tenders the first month's rent. The process of terminating a tenancy is complex and an attorney should be consulted. The Ordinance requires that a landlord provide the Information, including a notice of basic housing rights and resources, to tenants when legally required steps to terminate a tenancy are taken.

Frequently Asked Questions

If I am renewing a lease with an existing tenant do I need to do anything?

If you are renewing a lease of an existing tenant for the first time following the effective date of this Ordinance (10/14/20) you should provide the information. Thereafter, it is good practice to provide the information again, but you are not required to offer materials at each renewal.

Do I need to supply the informational material to a tenant at will?

Yes, all tenants and lawful occupants must be provided a copy of the materials.

Do I need to have the Tenant sign receipt of the information?

The Ordinance does not require this; however, it would be good practice to do so.

Does the Ordinance prevent me from evicting my tenants?

This Ordinance does not prevent a landlord from initiating an eviction action if otherwise allowed by law. However, the notice of housing rights and resources should provide landlords and tenants with a better understanding of the eviction process as well as the resources potentially available that may mitigate and prevent the eviction. For example, if you have been happy with your tenant except for the fact that they have fallen behind in rent and you are therefore beginning the eviction process due to non-payment of rent, the resources contained in the Information materials may assist you in finding alternatives to eviction. If you do begin an eviction process through a notice to quit or other action, it is required that you offer the Information about rights and resources at the same time.

I am the owner of only one rental unit that is in the building in which I live. Do I have to comply with the Ordinance?

The Ordinance applies to a single residential dwelling unit. Some owners may be unaware of how the eviction process works and how it might be avoided. The Information provided will hopefully assist landlords and tenants. Knowing about rights and resources will save owners time and money.

Is anyone exempt from the requirements of this Ordinance? Can it be waived?

Yes, this Ordinance does NOT apply to: rental units in a hospital, skilled nursing facility or health facility or in a non-profit facility

that has the primary purpose of providing short term assistance, treatment, assistance or therapy for alcohol, drug or other substance abuse. (Please read the definition of short-term treatment in the full Ordinance found in Sec 8.71.030 (2) of the Ordinance, https://library.municode.com/ma/cambridge/ordinances/code_of_ordinances?nodetid=1041448).

In addition, the Ordinance does NOT apply to Short Term Rental Units as set forth in Article 4, Section 4.60 of the Cambridge Zoning Ordinance.

What happens if I do NOT comply?

We encourage you to read the full scope of Section 8.71.070 "Violation Penalty" of the Ordinance and to consult an attorney if you have questions. You may be fined \$300 for each day's violation.

What should I do as a Tenant?

Read and become familiar with the information packet of materials. If the information has not been provided to you at your lease signing, go to the City website to download the materials. You may also want to reach out to your landlord or their management company and remind them of the information packet. Consult an attorney if you are being evicted.

Who can I contact for more information?

Anyone can contact the Cambridge Office of the Housing Liaison at 617-349-6337.

