



# City of Cambridge Tenants Rights and Resources

Tenants Rights and Resources Notification Ordinance  
Cambridge Municipal Code Chapter 8.71  
City of Cambridge, Massachusetts  
Effective October 14, 2020

*The City of Cambridge is glad that you have decided to make Cambridge your home!*

In an effort to help you understand your rights and responsibilities as a tenant in Cambridge, and to make sure that you are aware of the many resources offered, effective October 14, 2020, the City of Cambridge now requires owners, landlords, and management companies to provide you with information at the start of your lease or tenancy as well as when your tenancy is being terminated. The link to the Tenants Rights and Resources Notification Ordinance can be found at [www.CambridgeMA.gov/tenantsrights](http://www.CambridgeMA.gov/tenantsrights)

Although the City cannot provide legal advice, if at any stage of your tenancy you have a question or are in need of assistance for any housing or housing related need we encourage you to contact an attorney or call/email one of the following resources:

- Office of the Housing Liaison: 617-349-6337 / [mpensak@CambridgeMA.gov](mailto:mpensak@CambridgeMA.gov)
- Multi Service Center: 617-349-6340 / [mmelo@CambridgeMA.gov](mailto:mmelo@CambridgeMA.gov)
- Mass Attorney General's Guide to Landlord/Tenant Rights: <https://www.mass.gov/doc/the-attorney-generals-guide-to-landlordtenant-rights/download>

We strongly encourage you to read all informational materials provided.

There are **3 sections** of Information:

- *Tenant Responsibilities and Tips*
- *Tenant Rights*
- *Tenant Resources*

**This is an important notice. Please have it translated.**

Este é um aviso importante. Por favor, traduza-o.

Este es un aviso importante. Por favor, tradúzcalo.

Sa a se yon avi enpòtan. Tanpri fè yo tradui li.

Kani waa ogeysiis muhiim ah. Fadlan turjum.

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这是重要的通知。请翻译此通知。

এটি একটি গুরুত্বপূর্ণ বিজ্ঞপ্তি। অনুগ্রহ করে এটিকে অনুবাদ করান।

هذا إشعار مهم، يُرجى ترجمته

Information and translated resources available at [www.CambridgeMA.gov/tenantsrights](http://www.CambridgeMA.gov/tenantsrights)

# Tenant Responsibilities and Tips

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## ***Paying Rent:***

It is a tenant's responsibility to pay rent on a timely basis as set forth in your lease or rental agreement or otherwise agreed.

*If you are struggling financially, PLEASE seek assistance!* There are many local and state agencies that may be able to assist you financially no matter what your citizenship or legal status is. Please contact one of the numbers above or in the resource section of this guide.

## ***Paying for Utilities and Other Required Housing Costs:***

If you are expected by your rental agreement or lease to have utility services in your name, it is important for you to do so. If you have difficulty paying for your utilities and/or have arrears that prevent you from establishing new utility service in your name, please reach out to the Cambridge Multi Service Center for assistance at 617-349-6340.

## ***Maintaining Your Unit:***

Please assist the owner of your unit in maintaining a safe and healthy building. We live in a city where rodents and insects love to cohabitate. Please follow these tips to keep your unit and building safe from these pests:

- Always put dried pet food in an air-tight heavy plastic or metal container.
- If you do have a rodent or pest problem, keep all dried food such as snacks, rice, pasta, etc. in plastic bins even if the food is in a cabinet.
- Work with the owner or management company when they come to exterminate.
- Always place your trash in barrels with the lid securely closed. If using a dumpster, make sure to close the lid. If you have trash overflow, please contact your landlord to request more barrels.
- If your trash barrels have holes, do not put trash in, contact your landlord as they should be replaced to prevent rodent activity.
- If you notice any rodent activity, contact the City of Cambridge Inspectional Services Department at 617-349-6100 to request an inspection so they can work with the landlord to minimize activity.
- If you struggle with collecting, hoarding, or upkeep, please take advantage of the helpful free services available in the resources section.

## ***Purchase Renter's Insurance:***

Renter's Insurance is required by some landlords. Although you are not required by state or local law to purchase renter's insurance, if you are required to do so by the terms of your lease, we strongly encourage it. Even if not required by the terms of your lease, it is a good practice to purchase renter's insurance. The average cost in Massachusetts is \$16 per month. If something happens to your unit (fire, flood, etc.), your possessions may not be covered by the owner's insurance.

## ***Lease Dates:***

Pay attention to your lease or rental agreement dates and, upon renewal time, sign a new lease. While tenant at will agreements are fine, they may not afford you the same rights as a lease does.

## ***Getting Help:***

Housing issues and your rights and responsibilities can be confusing. We cannot provide legal advice, but we may be able to answer some of your questions and refer you to legal or other resources. If you have questions about vouchers, affordable housing, or who to contact at the City for housing concerns, please call the City's Housing Liaison Office at 617-349-6337 or email [mpensak@CambridgeMA.gov](mailto:mpensak@CambridgeMA.gov).

***Communicate! Talk to Your Landlord or to Us. Let's Work Together!***



# Tenant Rights

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## *Only a COURT Can Order a Tenant to Leave their Home.*

**This is THE most important thing to remember!** If a landlord gives you a notice to leave, it does not mean you have to leave. There is a court process that has to be followed before a tenant can be forced to leave their home. There is also help available to try to prevent the eviction without going to court.

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### *The Basic Steps of an Eviction Process:*

#### 1. Notice to Quit

- In most cases, a landlord will issue a notice to quit. This may be hand delivered, mailed, or sent by a constable/ sheriff. It is JUST the first in many steps.
- In most cases, the notice given is for 7, 14 or 30 days.
- If the notice is for non-payment of rent, it is usually for 14 days and there is a time frame to pay the back rent, although it may be different if there is a lease or if the tenant does not have a lease (and is considered "at will"). Remember there are resources to assist!
- Please call legal services or request financial assistance from the resources section of this guide. Many landlords will give tenants more time while resources are being sought as long as they know the tenant is making an effort.
- We do NOT recommend that you just leave your home! Especially if you have a Voucher.

#### 2. Court Complaint

- If a tenant has not paid what they owe (arrear) and has not moved at the end of the time frame of the notice of non-renewal or other notice, the landlord may have a constable or sheriff send or give a court summons and complaint to the tenant. This lists a court date, answer date, and court location.
- The date and time are very important, and the tenant must appear for this court date at the time indicated on the summons and complaint. If the time listed is to be determined (TBD), look out for additional mailings from the court with scheduling information or consult with an attorney or contact the court for more information.

#### 3. File an Answer

- The tenant should file their answer with the court and give a copy to the landlord by the Answer Date listed on the complaint.
- The answer can explain why the tenant is behind on rent, or why they believe they are not behind, or why they should not have to leave the unit, etc. It can also include claims that the tenant has against the landlord, such as conditions that violate health and safety codes.
- By the same deadline (the Answer Date), the tenant also has the right to file and serve Discovery Requests (requests for information from the landlord about the case) and demand a jury trial.
- Please get assistance with filing an Answer and Discovery Request. You can go to [masslegalhelp.org](http://masslegalhelp.org) or [gbls.org/MADE](http://gbls.org/MADE) or call one of the resources listed.

#### 4. Right to Transfer

- The tenant may have the right to transfer cases filed in Cambridge District Court to the Eastern Housing Court. The tenant should ask an attorney about whether or not to transfer their eviction case.

#### 5. Court Date

- The tenant must appear on time and if not, the tenant will automatically lose and could be ordered to move within about 12-14 days.
- The tenant's court date may be scheduled by the court to be held remotely by phone or by video. If the tenant is not able to participate in their hearing remotely, call the Court right away to request an in-person hearing.
- If something happens and the tenant cannot show, they can file a motion to remove the default, but make sure to do this as soon as possible.



- If both landlord and tenant show up, mediation is often offered by the court. If both parties agree to settle the case, a court document is signed. The tenant should NOT sign something they cannot follow through on, such as a repayment plan that is unaffordable. Again, seek assistance from an attorney.
  - If an agreement is not reached, a Judge or Jury trial takes place. The Judge (or Jury) decides any money due for rent and counterclaims and also who “gets possession” of the unit, which means whether the tenant gets to stay or has to leave but, that is NOT the end.
6. Appeal
- If the landlord wins (at trial), and the tenant wishes to file an appeal, there is a limited time period in which to do so; usually the tenant has 10 days to file an appeal.
7. Notice of Levy
- If the landlord wins the right to possession and the tenant does not appeal, the court will likely issue an execution.
  - An execution typically allows a constable/sheriff to serve the tenant with a notice to vacate the unit within a certain period of time, frequently 48 hours.
  - If the tenant does not move out their belongings, the constable/sheriff can move them to a bonded warehouse and change the locks. The constable/sheriff must let the tenant know where the storage unit is located and what the fees are.
  - The tenant may file a motion in court to seek to temporarily stop the order to vacate.

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The above describes the usual steps in a typical eviction, but each case may be different so please seek assistance. It is important that you seek legal help or call the court when you get any eviction complaint. Many court hearings are now being held by videoconference or telephone and not in person, and it is possible that the trial date listed on the complaint could change. The court service center and the lawyer for the day may be working remotely, so seek legal help when you receive a notice to quit or a court complaint – the sooner the better!

### *Other Important Eviction Process Information*

- Tenants cannot be just locked out or have their utilities shut off by the Landlord. If this happens, seek legal assistance immediately or call the police.
- There is currently no “Right to Counsel” for Eviction Cases like there is in criminal court. However, because most management companies have attorneys, whenever possible, seek legal assistance from one of the legal services or other agencies listed.
- Each individual eviction case is different, so tenants should always seek legal assistance whenever possible.
- If the tenant, or someone they know, has caused damage to the property, are responsible for a health and safety concern, or have conducted criminal activity on the property, the eviction process could move more quickly than in other situations.



# Tenant Resources

## City Resources

Multi Service Center	617-349-6340	
Housing Liaison to the City Manager	617-349-6337	mpensak@CambridgeMA.gov
Community Development Department	617-349-4622	housing@CambridgeMA.gov
Human Rights Commission	617-349-4396	hrc@CambridgeMA.gov
Cambridge Commission for Persons with Disabilities	617-349-4692	ccpd@CambridgeMA.gov
Inspectional Services	617-349-6100	inspectionalservices@CambridgeMA.gov
Cambridge Consumer Council	617-349-6150	consumer@CambridgeMA.gov

## Financial Assistance (for Housing)

Multi Service Center	617-349-6337
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## Legal Services and Mediation

Cambridge Somerville Legal Services	617-603-2700	
De Novo Center for Justice and Healing	617-661-1010	denovo.org
Just-A-Start Mediation Services	617-494-0444	contact@justastart.org, justastart.org

## Affordable Housing Opportunities

Community Development Department	617-349-4622	housing@CambridgeMA.gov
Cambridge Housing Authority	617-864-3020	cambridge-housing.org
Just-A-Start (c/o Maloney Properties)	617-661-7190	contact@justastart.org
Homeowner's Rehab Inc (HRI)	617-868-4858 ext 200	info@homeownersrehab.org
For inquiries on housing availability	617-491-5466	cchi@winnco.com
Metro Housing Boston	617-859-0400	resourceline@metrohousingboston.org

## Fair Housing

Human Rights Commission	617-349-4396	hrc@CambridgeMA.gov
Cambridge Commission for Persons with Disabilities	617-349-4692	ccpd@CambridgeMA.gov

## Violence Prevention and Intervention

Transition House	617-868-1650
Crisis Line	617-661-7203

## Credit Counseling

CEOC	617-868-2900	ceoccambridge.org/contact/
Just-A-Start	617-918-7525	contact@justastart.org

## Tenant Organizing

Alliance of Cambridge Tenants	617-499-7031	tenants@earthlink.net
CEOC	617-868-2900	ceoccambridge.org/contact/

## General Housing Services (Navigation, Assistance, Guidance)

Housing Liaison Office	617-349-6337	mpensak@CambridgeMA.gov
Multi Service Center	617-349-6340	
CEOC	617-868-2900	ceoccambridge.org/contact/