



JIM BROOKS COMMUNITY STABILIZATION ACT

An Act to protect residential tenants against arbitrary, unreasonable, and retaliatory evictions, and to ensure tenants are aware of their legal rights and the available resources to help preserve their tenancies.

FREQUENTLY ASKED QUESTIONS

What is the purpose of the Stabilization Act?

The Stabilization Act is a tool to help direct legal and resource information to tenants at risk of displacement.

When will the Stabilization Act take effect?

The Act must be approved by the City Council and enacted by the State Legislature. The State Legislature has a two-year legislative cycle with the current cycle running from January 2017 through December 2018. If passed by the State Legislature, the Act would take effect in 2019, at the earliest.

Which landlords will be impacted by the Act?

Landlords who own more than six rental units in Boston.

What if a landlord rents out more than seven units, but no rental buildings has more than six units?

Landlords who own seven or more rental units -- even if none of the buildings have more than six units -- will be impacted.

Is this rent control?

NO. This is not rent control. The Act does not prohibit rent increases and does not limit rental prices in private market housing.

What if tenants do not pay rent, can they be evicted?

YES. The Act would not prohibit a landlord from evicting a tenant for non-payment of rent; it would require the landlord to send the notice terminating the tenancy for non-payment to the Office of Housing Stability.

What if tenants engage in criminal behavior in the unit or violate the lease terms, can they be evicted?

YES. The Act would not prohibit a landlord from evicting a tenant for criminal behavior on the premises or a violation of lease terms, but would require the landlord to send any notice terminating the tenancy to the Office of Housing Stability.

What notices will need to be sent to the Office of Housing Stability?

Landlords will be required to provide the Office of Housing Stability with a copy of any notice to quit, lease non-renewal letter, or notice of fixed term lease expiration within two days of the their issuance.

How can notices be delivered to the Office of Housing Stability?

Landlords or their agents, including constables or other process servers, will be able to send the notice to the Office of Housing Stability by mail, email or through an electronic portal. Landlords or their agents should not be charged more than a nominal fee for this service.

What will the Office of Housing Stability do with these notices?

The Office will send tenants housing resource and legal information.

What about landlords who face insecurity because tenants have not paid rent, making it hard for them to pay their mortgage, what assistance will they be offered?

The Office of Housing Stability is working to develop more landlord stabilization resources. Currently, the Office of Housing Stability offers low to no cost mediation services. Landlords can speak to a staff member about their rights and the resources available to help them by calling 617.635.4200.

Would a rent increase violate Chapter 93A (and be considered a violation of the State's Unfair and Deceptive Business Practices Act)?

NO. A rent increase at the end of a lease term, with proper notice, does not violate Chapter 93A.

Can a landlord evict a tenant who refuses to pay a rent increase?

YES. If a landlord decides to increase the rent at the end of a lease term and the tenant offers the old rent, the landlord can move for a no-fault eviction.

Does the Act allow for private information to be made public?

NO. The law does not provide for the names of the landlords or tenants to be made public. The Act provides that any notices shall not be subject to the mandatory disclosure provision of the Public Records Law. If any information about the notices or the notices are to be made public, the party names will be redacted prior to any public disclosure.

Will passage of the Act lead to rent control?

This Act does not call for rent control and does not make rent control any more or less likely to happen in the future. Another bill that proposes to control rental increases would have to be approved by the City Council and/or State Legislature.

**For additional information or answers to other questions, please contact
The Office of Housing Stability at 617.635.4200 or rentalhousing@boston.gov.**