

TOP TEN THINGS LANDLORDS SHOULD KNOW

1

TYPES OF TENANCIES

You can offer a tenant a lease, which typically runs for one year, or a verbal or written tenancy-at-will agreement, which runs from month to month. A tenancy-at-will agreement offers more flexibility, but a lease offers more security.

2

BASIC FACILITIES

Every rental unit must have a working stove and oven, screens for each window below the fifth floor, and working locks on all windows and entry/exit doors. You are not required to provide refrigerators, blinds, shades or laundry facilities, but if you offer them, you must maintain them.

3

HEAT AND UTILITIES

A tenant can only be required to pay for utilities if there are separate meters for each service charged. You must pay for heat and hot water unless you and your tenant have signed a written agreement that says the tenant must pay.

4

SCREENING TENANTS

Insisting on references and proof of employment are ways of screening prospective tenants. You can require prospective tenants who cannot provide references or who do not appear to have a sufficient or steady source of income to have a co-signer.

5

SECURITY DEPOSITS AND LAST MONTH'S RENT

At the beginning of the tenancy, you can legally require a tenant to pay the last month's rent in advance and a security deposit in an amount no greater than the equivalent of one month's rent. If you collect them, you must, among other things, give proper receipts, pay interest on an annual basis and in the case of the security deposit, put the money in a separate account in a bank located in Massachusetts. It is important that you comply with the strict requirements of the [security deposit law](#).

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LEGAL AND ILLEGAL FEES

You can legally charge a tenant for first and last month's rent, security deposit, and lock fee. **IT IS ILLEGAL** for you to charge a holding fee, pet fee, or broker/finder's fee. You may charge a broker/finder's fee if you are a licensed realtor and have a signed agreement with the tenant.

If you need further assistance, visit boston.gov/housingstability or call or email us at: (617) 635-4200 or housingstability@boston.gov

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RE-INSPECTIONS OF RENTAL UNITS

In most cases, landlords are required by law to have their rental units inspected for compliance with the State Sanitary Code soon after they are re-rented to new occupants.

8

TIMELY RENT PAYMENT

There is no “grace period” for payment of rent. You are entitled to the rent on the day specified by the terms of the tenancy. You may charge a late fee but only if there is a written agreement in effect that allows it. Even then, this fee cannot be charged unless the rent is at least 30 days late.

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If your tenant is behind on rent or struggling to pay rent, they may qualify for rental assistance from the City or State. Please visit boston.gov/rentalrelief for more information.

9

MEDIATION

If you and your tenant have a dispute that you cannot resolve between yourselves, you should consider mediation. Mediation is an informal process in which you and your tenant can try to reach a resolution with the help of an impartial mediator.

If you need mediation, please contact The Office of Housing Stability at (617) 635-4200 or housingstability@boston.gov.

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EVICCTIONS

If you have exhausted all other options and need to evict a tenant, you must terminate the tenancy with the proper written notice and then file a summary process action in court. The Housing Stability Notification Act requires landlords to deliver a Notice of Tenants’ Rights and Resources at the same time as the Notice to Quit or Notice of Non-renewal of a Lease. This Act also requires landlords to provide the Office of Housing Stability with copy of the Notice to Quit or Notice of Non-renewal of Lease, and a Certificate of Compliance/Service. Many landlords hire attorneys to assist them through what can be an expensive, lengthy, and complicated process. If you live in an owner occupied building and meet other criteria, you may qualify for free legal assistance from the Volunteer Lawyer Project. Please contact (617) 603-1700 or celhp@vlpnet.org.

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