

**City of Boston Condominium and Cooperative Conversion Ordinance  
Summary of January 2021 Provisions**

In January 2021, the City of Boston amended the Condominium and Cooperative Conversion Ordinance (the “Conversion Ordinance”) of 1999. The ordinance applies to any residential property built before December 1983 that has four or more rental units, where the owner intends to convert the property to a residential condominium or cooperative use, either through the conversion of the existing units, or through the demolition of the current units and replacement of them with a new condominium or cooperative building.

The ordinance requires that tenants be provided notice of the intent to convert, which informs them of the rights and benefits tenants have in a conversion. All tenants have certain rights; tenants who meet certain eligibility requirements have additional rights. Tenants eligible for additional rights are those who disabled, elderly, or of low- or moderate-income. Below are the definitions of disabled, elderly and low-moderate income:

***Disabled tenant-*** a tenant who has a physical or mental impairment as of the date the notice was provided or should have been provided, which (1) substantially limits such person’s ability to care for themselves, perform manual tasks, walk, see, hear, speak, breathe, learn or work; or (2) significantly limits the housing appropriate for such person or significantly limits such person’s ability to seek new housing; or (3) meet the disability related provisions contained within the definition of “handicapped persons of low income” in G.L. c. 121B § 1, provided a condition of dependency on alcohol or any controlled substance shall not be the basis for a determination of a disability.

***Elderly tenant-*** A tenant who is **62** years or over as of the date the notice was or should have been provided.

***Low/Moderate Income tenant.*** If the combined income of all persons living in the unit, whose total income for the past 12 months immediately preceding the date the notice was provided or should have been provided, was less than 80% of Area Median Income for your household size, then the household is “Low/Moderate Income”. See the table below for these income guidelines.

| <b>Low/Moderate Income Maximum<br/>(80% of Area Median Income), 2021</b> |                     |
|--|---------------------|
| <b>Household Size</b>  | <b>Income Limit</b> |
| One person   | \$67,700            |
| Two person   | \$77,350            |
| Three person   | \$87,000            |
| Four persons   | \$96,650            |
| Five persons   | \$104,400           |
| Six persons  | \$112,150           |

## Tenants Rights and Benefits

The table below summarized the rights and benefits tenants have in a building undergoing a condominium or cooperative conversion. These rights are explained further in the [tenant notification form](#).

| <b>Tenant Rights &amp; Benefits under the<br/>Condominium and Cooperative Conversion Ordinance</b> |                 |   |
|--|-----------------|---|
|  | Regular Tenants | Disabled, Elderly, or<br>Low/Moderate Income<br>Tenants |
| Notification Period/Right to<br>Remain in Your Unit  | One Year        | Five Years  |
| Relocation Payment   | \$10,000        | \$15,000  |
| Housing Search Assistance  | No              | Yes   |
| Right to Purchase Your Unit  | Yes             | Yes   |

### Conversion Process

#### ***Owner Provides Tenants Notification of Intent to Convert***

The conversion process begins as soon as the owner forms an intent to convert the property to a condominium or cooperative. The owner must immediately provide tenants a one-year notice.

#### ***Owner Secures Conversion Plan from the Department of Neighborhood Development***

The owner applies to the City of Boston Department of Neighborhood Development (“DND”) for a Conversion Plan. As part of this application, the owner provides documentation that the tenants have received the required notification, as well as any information on the current and recent tenants of the property.

DND will contact the tenants, determine if any tenants are disabled, elderly, and/or low- or moderate-income. These tenants will then receive a notice that they are eligible for additional benefits, including a five-year notification.

The Owner and DND will complete a Conversion Plan, which spells out the rights and benefits for each tenant. Over the notification period, the owner will implement the Conversion Plan.

### ***Notification Period Ends and Owner Seeks Conversion Permit***

Once the notification period ends for a particular unit, the owner may request a Conversion Permit for that unit from the City of Boston Inspectional Services Department (“ISD”). DND will confirm with ISD whether or not the requirements of the Conversion Plan have been met. Given the information supplied by DND and the Owner, ISD may issue a Conversion Permit. Once this permit is issued, the owner may proceed to evict any tenants who have not already moved or signed an agreement to purchase the unit, and complete the sale of the unit.

### **Fees**

Fees for the Conversion Plan and Permit are \$1,000 per unit, payable to the City of Boston, upon applying for a Conversion Plan.

### **Contact Information**

If you have any questions about the conversion process, please contact:

City of Boston Department of Neighborhood Development

[CondoCoop@boston.gov](mailto:CondoCoop@boston.gov)

617-635-3880