



JIM BROOKS COMMUNITY STABILIZATION ACT

The Act helps the City identify tenants at risk of displacement and direct legal and resource information to them.

FREQUENTLY ASKED QUESTIONS

What is the purpose of the Stabilization Act?

The Stabilization Act requires certain landlords to inform the City of Boston if they serve a notice to quit, lease non-renewal letter, or notice of fixed term lease expiration. The Act is a tool to help direct legal and resource information to tenants at risk of displacement.

When will the Stabilization Act take effect?

In October, the City Council passed the Act and Mayor Walsh signed it, sending it to the State Legislature for approval. The State Legislature has a two-year legislative cycle, with the current cycle running from January 2017 through December 2018, to approve and enact.

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 with more than six units will be required to provide the Office of Housing Stability with a City Termination Notice if they serve a notice to quit, lease non-renewal letter, or notice of fixed term lease expiration.

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 use this information to provide data on evictions and to better direct 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 and landlord counseling. Landlords can also 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 housingstability@boston.gov.