

SEPTEMBER 2022

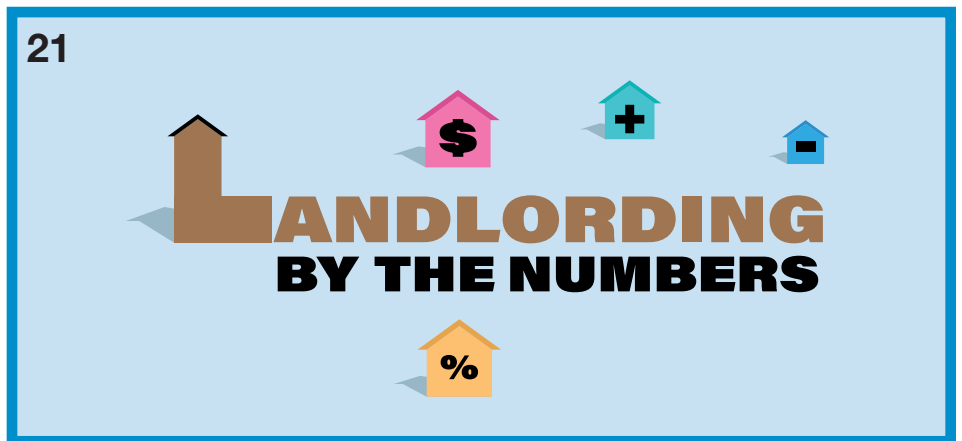
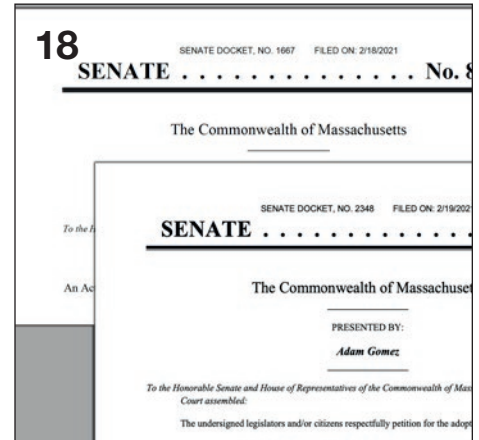
**State Cans Two Most
Egregious Rent Control Bills;
Sends To Study**

**Is it Legal to Have Blocked
Dates for Move-Outs in a
Month-to-month Tenancy?**

**Geothermal Pilot
Project in Framingham
Could Have Broad
Impact on Rental
Heating and Cooling**

Contents

- 3 Letter from the Executive Director
- 4 Geothermal Pilot Project in Framingham Could Have Broad Impact on Rental Heating and Cooling
- 9 State Legislature Makes Tenants Rights Sheet Permanent Requirement for Issuing Notice to Quit, Temporarily Extends Copies and Continuances
- 12 Is it Legal to Have Blocked Dates for Move-Outs in a Month-to-month Tenancy?
- 16 How to Avoid a Retaliation Complaint from Your Tenants
- 19 State Cans Two Most Egregious Rent Control Bills; Sends To Study
- 20 MassLandlords to Appeal Recent Dismissal of Court Petition for DHCD Data
- 25 REGIONAL





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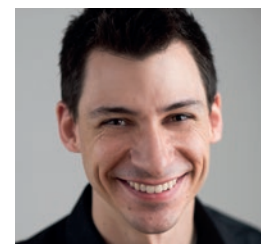
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LETTER FROM THE EXECUTIVE DIRECTOR

Hottest Yet

Our Letter from the Executive Director for September 2022 recaps a hot August. Besides our work on climate change, we continued to oppose TOPA post-session and advanced initiatives in lead, evictions and rent control.



In August we advanced our mission to create better rental housing through conversations on climate, lead, evictions and rent control. Also the RentHelper service reached a new milestone.

This summer was the hottest since recordkeeping began in 1872, as measured in days above 90 degrees. Owners and managers should take advantage of the Mass Save incentives and rebates to address climate change. New this year are dramatic incentives for heat pumps, which provide air conditioning, and induction stoves, which are better than gas in every way. A distressing but powerful APOD graph of global heating shows the urgency. We took a meeting with CLEAResult, who will be presenting this fall about Mass Save's new pilot. Aspects of project management will be included in energy assessments to help owners upgrade entire portfolios at a time.

It will be hard to address climate change, the next pandemic and all the other issues we face if our brains are addled by lead exposure. For this reason, and because of tighter CDC limits, we've started an effort to build a coalition around increasing the Schedule LP deleading credit for the first time in 50 years (since the credit was created). We introduced ourselves to the Department of Public Health. Our next steps will be highlighted at an event September 20.

We provided journalistic background and on-the-record comments to GBH twice. First, we helped them in their story about three-decker fire hazards. Second, we helped them understand the tenant opportunity to purchase act (TOPA) and our opposition (story to be published).

Rent control is a threat we continue to deal with. If people knew how bad it was, they wouldn't want it. This is why we've started digitizing decades of records from the rent control years. This project has been running since early August using a high-speed document scanner run by a team member on-boarded for this purpose.

We continued to litigate our case against the Department of Housing and Community Development (DHCD). Despite unprecedented success in rolling out some aspects of rental assistance, DHCD botched other aspects and then refused to allow public scrutiny. We have obtained two renter affidavits and one researcher affidavit for the next steps in our case.

RentHelper expanded the availability of weekly, biweekly and "monthly on the first weekday" payment plans to all renters. A RentHelper payment plan is a great alternative to eviction or cash for keys. Many renters who have been unable to save an entire month's rent have stabilized when paying more frequently.

MassLandlords is an enormously valuable service to owners, managers and service providers of rental housing. Please join as a member, become a property rights supporter or increase your level of support.

Sincerely,

Douglas Quattrochi

Executive Director, MassLandlords, Inc.

Point your camera app here to read more online.



Geothermal Pilot Project in Framingham Could Have Broad Impact on Rental Heating and Cooling

By Eric Weld, MassLandlords, Inc.

A geothermal project in the Concord Street area of Framingham will provide data for possible similar projects using the ground to heat and cool buildings.

If a three-year geothermal pilot project being launched this year in the city of Framingham is successful, it could dramatically shift urban energy commerce, consumption and infrastructure well into the future.

A pilot coordinated by Eversource, New England's largest electricity and natural gas utility, will use the earth's heat to warm buildings in winter. The process reverses in summer, drawing heat out of buildings to cool them and pumping it back into the ground. The project is the first of its kind in the state.

In the short term, the geothermal pilot program seeks to devise a sustainable, renewable heating/cooling alternative to burning fuels like gas and oil, or using electricity for those functions, while potentially cutting costs for customers.

In the long term, the pilot would ideally create a model for other urban areas for converting inefficient gas-burning systems to geothermal systems for residential and commercial customers at scale.

TERMINOLOGY: "GEOTHERMAL" VS. "GROUND SOURCE HEAT PUMP" (GSHP)

Before we continue, it's important to explain our use of terminology. The

Eversource pilot will utilize a series of ground source heat pumps (GSHPs), which draw heat from just beneath the earth's surface, where it remains a steady 50 to 60 degrees Fahrenheit throughout the year. Eversource refers to the Framingham pilot as a geothermal energy project. Etymologically, this is a correct term, as the combination of "geo" – of or relating to earth – and "thermal" – of or relating to heat – entails the process used to exchange heat with the earth.

"Geothermal" has traditionally been used to describe electricity generation on an industrial scale, at power plants that tap into the earth's crust and magma to heat water, creating steam that can drive turbines for producing electric power. This is a process distinct from that used by ground source heat pumps.

The terms "geothermal" and "ground source heat pump" energy are often used interchangeably, while some within the energy industry insist on maintaining a distinction between these two different



Drilling of a borehole for residential geothermal heating in Northern Finland. Geothermal is an ideal winter heating option because the ground is constantly warm. The rack of tubes is full of drill extenders. Well depths for Massachusetts measure in the hundreds of feet. Public Domain Olli Niemitalo.

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warming methods. Because Eversource refers to its Framingham pilot as a “geothermal” project, and that terminology has been adopted by other media, we will remain consistent with that usage. (MassLandlords members searching online for home-based “ground source heat pump” products or information are advised to use that terminology, though searches for “geothermal” may also yield valuable insight.)

GEOTHERMAL NEIGHBORHOOD

For the Framingham project, Eversource will begin construction this year on a series of piping, wells and air pumps in the neighborhood of Concord Street. The company is inviting its gas utility customers to participate in the program and will subsidize investments in heat pumps and other equipment.

The city of Framingham was chosen for the pilot because of its mix of residential and commercial buildings, diversity of income levels and heating/

cooling utilities being used, and favorable geological conditions locally that facilitate such a project, according to Shawn Luz, sustainability coordinator for the city.

“Another critical element of Framingham being selected was the strong community support for clean energy and especially the geothermal pilot program,” Luz told MassLandlords. “Framingham’s participation in the pilot aligns with a number of initiatives that we have underway to support residents and businesses, reduce the community’s carbon footprint and promote the local development of clean energy and energy efficiency technologies.”

Among those initiatives, Luz said, is the city’s participation as a member of the state Department of Energy Resources’ Green Communities Program, which helps municipalities cut energy use and costs through local green projects in schools, facilities and other buildings.

The Eversource pilot will service 45 buildings in and around Concord Street, about 30 of them residences.

Eversource will monitor results of the pilot and participating customers’ experiences through two heating-cooling seasons (about three years total), said Luz, to determine outcomes such as cost-effectiveness and efficiency.

MEASURE OF SUCCESS

In order to succeed, the pilot will depend on enlisting enough residential and commercial participants to sufficiently share costs of initial infrastructure investments and ongoing costs for system maintenance and power. The largest costs associated with geothermal power conversion of this type are excavation of roads and walkways and installation of underground piping.

Eversource is investing \$10.2 million in the pilot project. Construction will consist of drilling wells, installing main and T-intersection pipes for individual

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access, and installing pump systems in participating homes and buildings.

Eversource representatives have reached out to the Framingham community this year through municipal briefings, information sharing at community events, door-to-door visits and virtual and in-person meetings. If you are a Framingham resident or business seeking more information on the geothermal pilot, contact Eversource at geothermal@eversource.com.

Customers participating in the pilot will use geothermal heated and cooled air for the duration of the program. They will pay a fixed monthly charge for the geothermal heating and cooling service and provide feedback to Eversource.

The utility will pay for construction and installation costs, as well as equipment in customers' homes and businesses.

GEOTHERMAL BASICS

Ground source heat pump (geothermal) systems transfer a fluid (sometimes refrigerant in copper pipes, but usually antifreeze in plastic pipes) to a level below the underground frost line, where temperatures remain close to 50 degrees year-round. The pump system uses a

series of coils to move heat in or out of homes, depending on the season, via refrigerant fluid.

In winter, the coils absorb warmth from the ground loop and heat is distributed to a house or business using a heat exchanger. During warm seasons, the pump works in reverse, removing heat from buildings and depositing it in the ground loop for natural cooling.

Geothermal systems use much less electricity to operate than traditional HVAC systems, because no energy is needed to heat or cool the air – that takes place naturally underground. Only the pump, fan and compressor use electricity, making for more efficient and cost-effective systems in the long run. About one-third to a quarter of energy used for heating and cooling through a geothermal system comes from electricity.

GEOTHERMAL FOR LANDLORDS

If the Framingham geothermal project proves successful, it could change the equation for heating and cooling costs for property owners and renters. Once up and running, geothermal systems can save up to 70% annually on energy bills. If an average apartment costs more

than \$900 per year to heat and cool, 70% translates to \$630 saved per year.

Electricity bills for geothermal systems are expected to increase during cold months, but that increase is more than offset by savings from not having to purchase heating fuel or electrical resistance service. The overall efficiency of a geothermal system should result in lower annual energy costs.

The steepest costs for geothermal are for system installation. Upfront costs can run between \$10,000 and \$40,000, depending on the type of system.

But neighborhood-wide infrastructures such as that in the Framingham pilot may become a model due to their efficiency and shared cost. Where costs to install geothermal heating and cooling systems can be prohibitively high for a single property, creating a series of piping and pumps such as that on Concord Street disburses the costs over multiple users, making it more manageable for users while ensuring customer volume to help offset the utility's investment.

Especially in cases such as Framingham, in which the utility company subsidizes up-front installation costs, customers may benefit appreciably.

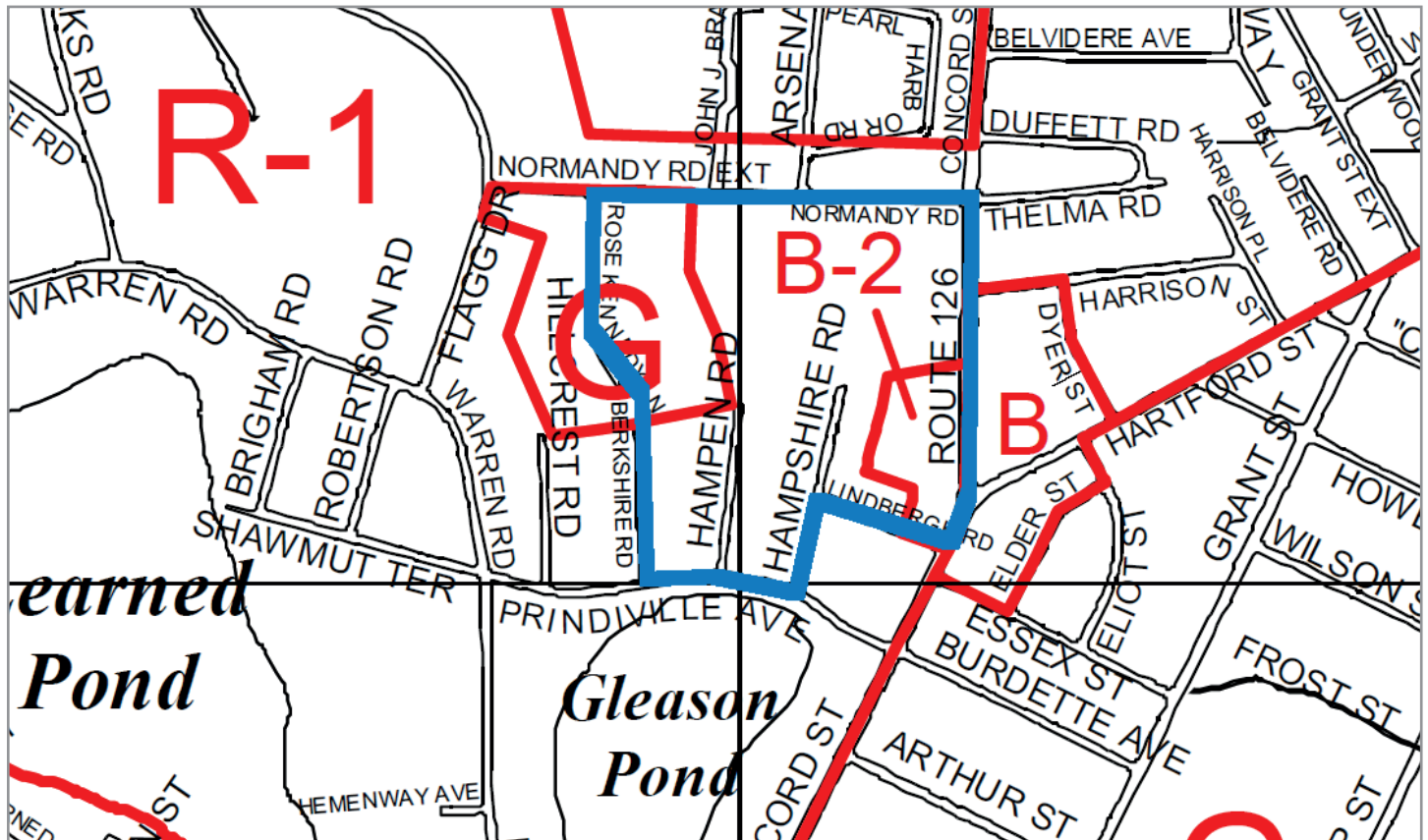
GLOBAL GEOTHERMAL

Geothermal energy, despite recent upticks in popularity, is not a new technology. In fact, in general, it's among the oldest forms of energy on earth. For example, it's been used for at least 10,000 years by people gathering near and tapping the warming effects of natural hot springs. Ancient Romans harnessed geothermal energy to heat buildings.

The United States began producing geothermal power on a large scale after World War II, and opened the world's largest geothermal power plant complex, The Geysers, north of San Francisco, in 1960. The U.S. remains the top producer of geothermal electricity generation, producing 16.7 billion kilowatt hours (kWh) of geothermal energy per year as of 2018. Geothermal and ground source energy is now used in several countries, including New Zealand, El Salvador, Kenya, the Philippines, and for around 90% of home heating demand in Iceland.



A geothermal heat pump has three components. Antifreeze runs through plastic pipes in the ground (not shown) to collect or deposit heat. Refrigerant runs in copper pipes to pull that heat out of the antifreeze. An air handler (not shown) then heats the premises through ducting. Geothermal heat pumps to baseboard are possible, too, although at time of writing less frequently commercially available. CC BY-SA 4-0 Tzeferis Petros.



The proposed geothermal distribution network is a loop cutting through four types of land use: R-1, G, B and B-2. In Framingham's zoning code, this corresponds to residential single family, gentle density brick townhouse, business, and community business. This gives the pilot a variety of heating and cooling systems to work with, as well as a variety of local concerns and receptivities to learn about. The proximity to Gleason Pond appears to be circumstantial. Although some geothermal systems obtain high heat transfer rates by looping through surface water, Gleason Pond's average depth (3') may be too shallow to prevent winter freezing. Public domain zoning map.

Massachusetts is a top state in terms of overall energy options, but falls low on the list of geothermal energy production in comparison with western states, which have closer subsurface proximity to natural geothermal resources such as hot springs and geysers.

Still, low temperature ground source theoretically works everywhere, and the Bay State hosts several geothermal (GSHP) energy companies. Also, National Grid is conducting its own geothermal project in the state similar to the Eversource project, testing the viability of shared, district-based geothermal systems.

CAN GEOTHERMAL BE COST-EFFECTIVE?

It's no secret that heating and cooling energy costs are among the largest expenses for landlords and renters. Heating fuels like natural gas and oil increase nearly every year and show

no signs of abating. Inflation above 8% in spring-summer of 2022 has pushed these costs through the roof. Meanwhile, the cost of replacing 40% of Boston's gas pipes, for example, will run the city between \$12 billion and \$20 billion, pushing costs even higher while not addressing methane pollution from leakage or greenhouse gas reduction.

As landlords look for alternatives to keep their rentals heated, cooled and habitable for tenants, more efficient options like electric heat pumps, solar and geothermal systems continue to gain traction despite high upfront costs.

Even among the slate of alternatives, in New England anyway, geothermal may be the most consistently reliable source for heating and cooling. Solar reliability diminishes considerably in our long, dark winters, and air source heat pump systems will never be as efficient as a system that warms and cools air underground.

While carbon emissions are a foremost consideration in developing geothermal systems, projects like the Framingham-Eversource pilot will need to be cost-effective in order to scale up. This two-season pilot and others will go a long way to determining if regional, shared geothermal energy systems can become a widespread and cost-effective solution for homeowners and renters across the state and perhaps nationally. [ML](#)

Point your camera app here to read more online.



State Legislature Makes Tenants Rights Sheet Permanent Requirement for Issuing Notice to Quit, Temporarily Extends Copies and Continuances

By Kimberly Rau, MassLandlords, Inc.

A pandemic requirement to notify tenants of their rights when served a notice to quit is now part of the law. Copies of notices and continuances pending rental assistance continue through March 31, 2023.

A pandemic measure that required landlords to notify their tenants of their rights when issuing a notice to quit for nonpayment of rent has been made a

permanent part of Chapter 186 of the Massachusetts General Laws as a result of Chapter 107 of the Acts of 2022, which was posted effective July 16, 2022.

This law requires landlords who are starting the eviction process for nonpayment to include a form notifying their tenants of their rights and resources during an eviction. This form includes information on rental assistance programs they may be eligible for, any standing rules or emergency orders that may impact the eviction process, and any relevant federal or state

restrictions on residential evictions that may be in effect at the time of notice. The landlord must also include documentation of any agreements between landlord and tenant regarding repayment of owed rent.

The form must also “prominently display” a statement that reads: “THIS NOTICE TO QUIT IS NOT AN EVICTION. YOU DO NOT NEED TO IMMEDIATELY LEAVE YOUR UNIT. YOU ARE ENTITLED TO A LEGAL PROCEEDING IN WHICH YOU CAN DEFEND AGAINST THE EVICTION.

Final 12-30-20, as amended 02-16-21, 6-23-21, 6-25-21, 8-04-21, 10-28-21 and 5-11-22

ATTESTATION FORM TO ACCOMPANY RESIDENTIAL NOTICE TO QUIT

**THIS NOTICE TO QUIT IS NOT AN EVICTION.
YOU DO NOT NEED TO IMMEDIATELY LEAVE YOUR UNIT.
YOU ARE ENTITLED TO A LEGAL PROCESS IN WHICH YOU CAN FIGHT THE EVICTION.
ONLY A COURT ORDER CAN FORCE YOU TO LEAVE YOUR UNIT.**

Pursuant to section 1(a) of chapter 257 of the Acts of 2020, as amended by chapter 20 of the Acts of 2021, a notice to quit for nonpayment of rent given by a landlord to a residential tenant pursuant to section 11 or section 12 of chapter 186 of the General Laws must be accompanied by this attestation form. A landlord's obligation to provide her/his tenant(s) with this attestation form begins on the effective date of the law, December 31, 2020, and lasts until March 31, 2023.

Instructions for completing this attestation form can be found here: [Notice to Quit Attestation Form and Submission Information | Mass.gov](#)

Name(s) of landlord(s): _____ (“Landlord”)

Name(s) of tenant(s): _____ (“Tenant”)

Address where the Tenant lives: _____ (“Unit”)

By signing below, Landlord is swearing that all of the following statements are true and correct:

A screenshot of the state-mandated attestation form that must accompany a notice to quit, advising tenants that they may be eligible for eviction protections under the law, and directing them to the appropriate resources. Lic: CC by SA 4.0 MassLandlords Inc.

ONLY A

COURT ORDER CAN FORCE YOU TO LEAVE YOUR UNIT."

The form is be available from the executive office of housing and economic development (EOHED), and is available in English as well as translated into the five most commonly spoken languages in the state.

As has been the case since the requirement was introduced in 2020, courts have been instructed to not accept any writ, summons or complaint that concerns eviction for nonpayment of rent without proof that this form was delivered to the tenant.

During the pandemic, the state also required that landlords notify them that their tenants had been given the form. This requirement will remain in effect until March 31, 2023, at which point the state will not require notification that the form was delivered (the courts will still require proof). After that date, the state will only be responsible for developing the form.

Our notice to quit forms continue to reflect this change.

EVICCTIONS REMAIN PAUSED WHILE RENTAL ASSISTANCE IS PENDING

Chapter 257 of the Acts of 2020 paused evictions while rental assistance was

pending. If you were evicting a tenant for nonpayment of rent, but the renter had applied for rental assistance, the eviction was paused until rental assistance was approved or denied.

This law was extended through March 31, 2023, by Chapter 42 of the Acts of 2022.


FAQ: IF EVICTIONS ARE PAUSED, IS THAT AN EVICTION MORATORIUM?

Some landlords suggest that the extension of the law that pauses evictions while rental assistance applications are pending is just another extension of the state eviction moratorium. It can certainly seem that way, particularly if rental assistance applications are processed slowly (or "time out" without response) or if rental assistance is not widely available.

However, a pause on evictions while assistance is pending is not the same as an eviction moratorium. It's a continuance. If your renter gets rental assistance, then you get your back rent. If your renter does not, you can proceed with the eviction. Also, you can bring an objection before the court if you know your tenant has not actually applied for assistance or you know your tenant will not be

receiving assistance. Courts can restart a case, and have done so in the past.

However, the past two years have shown us that rental assistance can be a very slow process. MassLandlords is in the process of suing the state over records surrounding rental assistance applications that "timed out" or were otherwise denied. And we've learned that the courts are not necessarily the best avenue for recovering possession of your unit except in dire situations. We recommend that you consider a "cash for keys" offer if you can manage it.

These are not perfect scenarios, and they're certainly concerning. However, given the resources available to us presently, we feel they reflect the best practices landlords can embrace right now. 

Point your camera app here to read more online.



ARTICLE YOU MAY HAVE MISSED

Returning to In-Person Events: Headwinds and New Formats

Many members, especially members who have been in business with us a long time, are eagerly looking forward to a return to in-person networking and training events. Landlord groups around Massachusetts have been meeting in-person for decades, but the pandemic disrupted and perhaps permanently changed this tradition. This article will detail the problems we're seeing and the experiments we will be conducting starting fall 2022.

The full article can be found at:
MassLandlords.net/blog

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Is it Legal to Have Blocked Dates for Move-Outs in a Month-to-month Tenancy?

By Kimberly Rau, MassLandlords Inc.



You may not relish the thought of coordinating tenant turnover in the snow, but prohibiting month-to-month renters from giving notice during the winter is not lawful. Lic: Cloris Ying for Unsplash

Landlords may not want tenants moving out in the winter, but can they restrict tenants at will from giving notice during certain months?

Some Massachusetts landlords are reportedly turning the idea of a tenancy at will on its head by attempting to block their renters from giving notice or moving out during certain colder months.

Sound strange? Posts on Reddit revealed more than one Massachusetts renter confused by verbiage in their tenancy agreement that seemed to

have “blackout dates” for giving notice. Showing an apartment or dealing with a move-in may be more difficult when the weather is cold and the streets are icy. But is this legal?

MONTH-TO-MONTH TENANCIES WITH LIMITATIONS ON GIVING NOTICE

One renter on Reddit said they had signed a 12-month lease that required a 60-day notice to end the tenancy early and did not allow notice to be given from October to February. The renter went month-to-month after the lease expired, and was informed that the new blocked dates were from November

to February. The tenant gave a 60-day notice in October.

“However, they are now saying that they won’t accept my notice to vacate and that I’m responsible for rent through several months of next year, citing the original lease terms,” the poster stated. And they were not alone.

“I am an at-will tenant. As long as I give a 30-day notice to vacate, I’m good to go,” another tenant wrote. “I [gave a] 30-day notice recently and asked my landlord if I’m all set to vacate on that date. They told me that they do not allow anyone to vacate in December and January and if I do, I need to pay rent for those months. I’m just wondering if there’s anything I can do?”

That poster copied the verbiage from their lease, which they claimed said, “We do not accept notice to vacate your unit in the months of December or January. (Meaning, you cannot give a 30-day notice on November 1 or December 1, as those would result in a vacate date of December 1 or January 1). If you decide to vacate the unit in December or January, you are still responsible for your rent payment.”

THE RENTAL AGREEMENT SAYS NO MOVE-OUTS IN WINTER; IS THAT LEGAL?

A tenancy at will is different from a standard lease. When you are “at will,” or month-to-month, you should be able to give your notice whenever you want or need to.

In the first scenario, it’s problematic that the landlord was insisting that their tenant at will give a 60-day notice to move out. The law states that



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tenants at will (and their landlords) need only give a 30-day notice that they will not be staying. But to be sure, we checked with multiple lawyers familiar with housing law.

The answer from the lawyers we spoke to was a resounding “no.”

“I’ve never heard of such a clause,” said Katherine Higgins-Shea, an attorney from Holyoke, who went on to say that it would appear such a thing would be illegal. Attorney Adam Sherwin expounded:

“Such [a clause] would almost certainly be prohibited. If the law doesn’t restrict it, a court would likely strike it down on public policy grounds. A court would likely see this as an improper attempt to merge a lease with a tenancy at will.”

A LACK OF RECIPROCITY MAKES BLOCKING OUT DATES UNFAIR

Even if such blocked-out dates were legal in a month-to-month tenancy, one thing that makes such a clause unfair is that it doesn’t appear the rule goes both

ways. The tenant cannot give notice in November or December. However, nothing in the Reddit posts describing these restricted tenancies suggests that the landlord could not give notice that they were ending the tenancy during that timeframe if they needed use of the property.

If your tenant can’t leave during certain months, but you can still give them notice during that time, that’s not fair to your renters, that’s an uneven balance of power, and not good landlording practice. And it could potentially be a legal problem for you as well. Chapter 93A gives consumers recourse against unfair or deceptive business practices. In other words, “unfair is unlawful in Massachusetts.”

I REALLY DON'T WANT PEOPLE MOVING OUT IN THE WINTER. DO I HAVE ANY OPTIONS?

If you absolutely do not want to deal with showing an apartment in winter or handling a move-out during those

months, you have a couple of options. You can employ a property manager who may be able to handle the logistics in your stead. Or, you can stick to fixed-term leases, which require renters to give longer notice if they want to leave, and offer you some protections if you are not able to immediately rent the unit.

There’s a third option that’s legal, but rarely used, and that’s the quarterly rental. MGL Ch. 186, Section 12 permits landlords to rent properties “at will” in three-month intervals. Your tenant pays for a quarter’s worth of rent at a time, and remains on the property during those three months, at which point another payment is due.

The law states, “Estates at will may be determined by either party by three months’ notice in writing for that purpose given to the other party; and, if the rent reserved is payable at periods of less than three months, the time of such notice shall be sufficient if it is equal to the interval between the days of payment or thirty days, whichever is longer.”

If you legitimately wanted to stop people from moving out during the winter months, you could in theory employ quarterly rental plans. The problem is, those are more likely to fail, because most people find it hard to save up that kind of money and pay it in one lump sum. If you want to give it a try, we recommend using a rent collection service like RentHelper, which encourages tenants to make more frequent payments for cash flow management.

CONCLUSION

Tenants and landlords who choose to have a tenancy-at-will agreement are often doing so because they appreciate the flexibility such a situation offers. Locking your tenants into staying during certain months for convenience or other reasons violates the spirit of such an agreement and sets up both parties for frustration. Set yourself (and your renters) up for success by making sure the only stipulations in your rental

agreement are ones that are legally enforceable. 

Point your camera app here to read more online.



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One-time and bespoke donations sincerely appreciated, too numerous to list here.

To join, complete a pink sheet at any MassLandlords event or sign up online at MassLandlords.net/property.

A modern multi-story apartment building at night. The building has a mix of glass balconies and solid walls. Many windows and balconies are lit up from within, showing interior furniture and decor. A large banner is attached to the side of the building, featuring text in white and green. The sky is dark blue, and a street lamp is visible on the right side of the frame.

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These programs are funded by the energy-efficiency charge on all customers' gas and electric bills, in New York and Massachusetts per state regulatory guidance.

How to Avoid a Retaliation Complaint from Your Tenants

By Kimberly Rau,
MassLandlords, Inc.



You may not like everything a tenants' union has to say, but if your renter joins one, make sure your actions aren't retaliatory. Lic: CC by SA 4.0 MassLandlords Inc.

Landlords must be cautious when raising rent, terminating a tenancy or making other changes to rental agreements.

As a landlord in Massachusetts, you have rights when it comes to your rental properties. You don't need a reason to terminate a tenancy or raise the rent. However, there are times when doing so can land you in hot water. If your tenant believes such actions are being taken because they are exercising their rights as a renter, you could be accused of retaliation and heavily fined.

WHAT IS LANDLORD RETALIATION?

When it comes to rentals, retaliation refers to a landlord taking action against a tenant for exercising their rights. These rights include the right to unionize or form other tenant advocacy groups, calling your city's inspectional services department to investigate possible code violations, and others.

If your tenant is exercising their rights and you raise the rent, evict them or otherwise terminate their tenancy, or make changes to your tenant's rental agreement within six months of their actions, they could take you to court on retaliation charges. If you determined to be at fault, you'll be held liable for damages. MGL Ch. 186 Section 18 stipulates these damages will be, at minimum, the equivalent of one month's rent and could equal up to three months' rent or actual damages, whichever is greater, plus attorney's fees.

WHAT ARE EXAMPLES OF A TENANT EXERCISING THEIR RIGHTS?

As mentioned, a tenant has the right to start a tenants' union or join an existing union or renter advocacy group. They can start a small group with just the other residents living at your rental property, and advocate for changes as a unit. They can join a protest against you or other landlords, and be protected against retaliation.

Your tenant can call the Board of Health and ask for an inspection if there is something in your unit that they believe violates the State Sanitary Code. (Hopefully, you and your renters have good communication and you are responsive to issues before it comes to this.) They can also report you for other legal violations.

All tenants have these rights and are protected against retaliation, regardless of whether they have a standard lease or a tenancy-at-will agreement. If you attempt to evict them without cause or raise the rent within six months of them exercising their rights, you could face retaliation charges.

WHAT IF MY TENANT VIOLATES THE LEASE, OR I NEED TO SELL THE PROPERTY?

These laws don't mean you cannot evict your tenant or raise the rent during that six-month time period. However, if you do, and you are questioned about it, you must be able to prove that your actions are not due to your tenant exercising their rights.

For example, let's say your renter joins a tenants' union a month before their lease is due to be renewed, and you had already planned on raising the rent. In that case, you should be able to point to communications with your tenant about the increase, or perhaps a line in the lease about scheduled increases. If your tenant is two months into a month-to-month tenancy and you attempt to raise the rent, you may have a harder case to prove.

If your tenant calls for an inspection for a leaky pipe (which you fix) and then doesn't pay their rent two months later, then you can issue a notice to quit without much trouble. The same would be true if your renter violated a clause in their lease. However, if you attempt to evict without cause (or for something incredibly minor, such as leaving a package in the hallway one time), or send notice terminating a month-to-month tenancy at will, then you may have to answer more questions. And if you didn't fix the aforementioned pipe, your eviction is headed for dismissal by the courts. If you're terminating for a good reason that isn't your renter's fault, such as needing to sell the property or having family moving in, you should be in the clear, but consult an attorney before taking action.

RETALIATION OR NOT? THE BURDEN OF PROOF IS YOURS


In any case, if you do something to change the tenancy within those six months, the presumption by the courts is going to be that you were being retaliatory unless you can prove otherwise. This can be tricky: It's hard to prove a negative.

This is why it's important to document any changes you plan to make, and make sure that you're acting in good faith. Sometimes you're going to have to raise the rent or move to terminate a tenancy, but you need to make sure you're doing it for sound reasons. Don't comb your lease for minor violations in order to evict "for cause" just because you're mad that your tenant joined a union. If you weren't planning on an increase at lease renewal, don't change your mind and double the rent because your tenant called the Board of Health and you had to fix that leaky tub or update your smoke detectors.

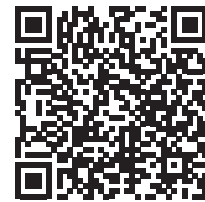
The other thing you can do to avoid having to prove you weren't acting in retaliation is do your best to stay out of the situation in the first place. You can't (and shouldn't) prevent your tenants from joining a renters' union. But you can probably avoid a request for a Board of Health inspection by communicating with your tenant about issues and keeping the place in decent repair.

Finally, if you must take action during that six-month timeframe, consult an attorney first to make sure you won't be running afoul of the rules. This could save you time and a lot of money.

CONCLUSION

Your tenants have rights, just as you have rights. Sometimes these rights will butt up against each other. They have the right to join a union and stage a protest if they don't like you or another landlord; you have the right to raise the rent as much as you want at lease renewal (just not in retaliation for your tenant exercising their rights). You won't be able to avoid conflict sometimes. But doing your due diligence in keeping your rental a place people want to live, communicating with others and making sure your documentation of any changes are in order will go a long way toward avoiding an accusation of retaliation. 

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State Cans Two Most Egregious Rent Control Bills; Sends To Study

Senate bills S.886 and S.889 will not pass into law; rental assistance remains best path to fixing housing crisis.

Two Senate-sponsored bills that would have enabled the return of rent control in Massachusetts have been sent to study, meaning they will not become codified into law.

Senate bill S.886, entitled “An Act enabling local options for tenant protections,” was proposed by representative Mike Connolly. Had it passed, it would have re-established statewide rent control, a practice that was banned by voter referendum in 1994. It would have enabled municipalities to establish their own rent control policies on a local level. The bill also allowed local options for just cause evictions and anti-displacement zones, as well as rent caps and regulations on fees. Cities and towns could opt to enact some, none or all of the options. You can read about our opposition to this bill [here](#).

Senate bill S.889, “An Act relative to the stabilization of rents and evictions in towns and cities facing distress in the housing market,” was the companion bill to S.886. It sought to allow cities and towns the option of limiting rent increases and adopting rules surrounding just-cause evictions.

Both bills were sent to study on July 29, 2022.

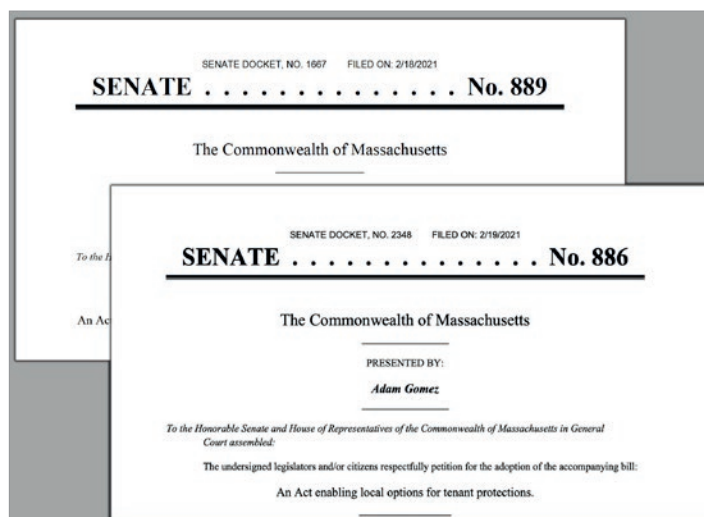
IF NOT RENT CONTROL, WHAT?

We maintain that rent control does not work to fix housing displacement issues, and would have been concerned had these bills passed. However, there is plenty that can be done to address housing concerns for Massachusetts residents. In the short-term, rental assistance, both temporary and through voucher programs, will help alleviate the problem.

The issue with short-term rental programs such as RAFT is ensuring that those who need help have an equal opportunity to access assistance and have their applications fairly administered. We heard so many stories about renters struggling to obtain RAFT assistance during the pandemic, and data surrounding rejected applications remains incomplete. The state is continuing block our access to records that may show where the biggest gaps in coverage fell.

To fix the problem, it is imperative we understand what happened so we don't make the same mistakes again. It's why we don't want to see rent control return to Massachusetts, and why we're pleading for transparency from the state regarding RAFT applications. Anything less does a disservice to the commonwealth. [ML](#)

Point your camera app here to read more online.



Two bills that would have brought rent control back to Massachusetts have been sent to study and will not be signed into law. Lic: CC by SA 4.0 MassLandlords Inc.

MassLandlords to Appeal Recent Dismissal of Court Petition for DHCD Data

By Eric Weld, MassLandlords, Inc.

Despite the dismissal of a lawsuit seeking data from rejected rental assistance applications, MassLandlords will pursue further legal action.

A lawsuit brought by MassLandlords that would force the Department of Housing and Community Development (DHCD) to release data that could shed light on a high percentage of non-approvals and timed-out applications for rental assistance during the Covid pandemic has been dismissed by Suffolk Superior Court Associate Justice Jackie A. Cowin.

The MassLandlords lawsuit was filed in December 2021. It followed several public information requests to the agency, beginning in June 2021, seeking the release of addresses (but not names) listed by applicants for rental assistance that had been denied due to non-substantive reasons. Those requests were repeatedly denied by the agency, partly on the grounds that the records were not readily available. Further, DHCD estimated that the retrieval of requested records – including a batch of some 47,000 applications that couldn't be accounted for – would require hiring 39 full-time employees working approximately four weeks at a cost of \$200,000.

The percentage of applications that were either timed out or denied for lack of or incorrect information is substantial and is partly what prompted the original data request. In March 2021, 57% of applicants for RAFT and ERMA assistance had been timed out, according to DHCD reports. In June 2021, records

showed that 67% of applicants had been timed out (5,453 out of 8,146 applications). And in September 2021, timed out applications were at 33% (5,619 out of 16,774 applications).

MassLandlords intended to compare the address records of timed-out rental assistance applicants with publicly available (via trial courts) addresses of tenants in summary process cases. By doing so, we hope to determine if thousands of timed-out and rejected applications led to tenants being wrongly evicted. MassLandlords has reason to believe, and is seeking to verify, that a disproportionate percentage of rejected rental assistance applications were submitted by people of color, immigrants, families with children and people with disabilities. The court petition to force release of data was a step toward determining if that had been the case.

PUBLIC RIGHT TO KNOW

DHCD entered a motion for dismissal of the lawsuit on June 15, 2022, which was heard by Justice Cowin. DHCD attorneys argued in the hearing that the release of the requested addresses would constitute a violation of rental assistance applicants' privacy rights.

Attorney Pierce Cray, arguing for the state, also emphasized the need to protect the privacy of applicants for rental assistance, particularly when the state fails. "It would make no sense for a person's privacy protections to vary with organizational performance," he said. "It would be perverse to waive privacy if the state were doing a bad job."

Absent from Cray's argument was a mention of what public recourse should

be when the government does not provide adequate service. His argument misses the irony and the conflict of the government disallowing recourse when it does a "bad job" – for example, when thousands of applicants for rental assistance potentially are evicted from their homes because their applications inexplicably time out or are rejected without explanation.

The motion for dismissal did not refer to earlier claims that such data approval would require untenable staffing requirements and expense.

MassLandlords' request and court petition argued that the right of the public to know if the state agency is disproportionately rejecting rental assistance applications of people of color, immigrants, families with children and people with disabilities outweighs applicants' right to privacy.

MassLandlords also contends that the addresses listed on rental assistance applications, by themselves and without tenants' names, do not identify applicants and should be publicly available information.

Our intention is to conduct a statistical analysis. We want to compile an overview that contrasts the addresses of rejected rental assistance applications with addresses involved in summary process cases that resulted in eviction. Our hope is to discover if demographic trends exist among people who were not approved for rental assistance.

DISMISSAL: INVASION OF PRIVACY

In her dismissal of the petition, Judge Cowin states that MassLandlords did not satisfy its legal burden of demonstrating



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that the information it seeks justifies divulging what the court calls personal information, i.e., the address of an applicant seeking rental assistance. (Judge Cowin contends that, while the MassLandlords lawsuit only seeks addresses of applicants and not their names, it does not sufficiently guard their privacy because it would be possible to later match names with addresses through housing court records.)

In the dismissal, Judge Cowin also notes that MassLandlords did not satisfactorily argue its need to obtain applicants' addresses for the purpose of determining if non-approved applications were disproportionately affecting people of color, immigrants, families with children and people with disabilities.

"MassLandlords has not described how, once it matches an address provided by the Department to a name involved in a summary process action, it will be able to determine that the person(s) involved belong to one of the suspected groups, without accessing some other

type of private data," she writes in the judgment. "It is thus doubtful that the information sought will truly advance any public interest."

MassLandlords' appeal will point out that we have methodologies available to determine large-scale demographic trends without the need for specific, individual and private demographic information.

Judge Cowin's dismissal concludes that the protection of the privacy legally assured applicants for rental assistance overrides MassLandlords' request for the data it seeks in the lawsuit.

"Given the tenuous connection between the records MassLandlords requests and the conclusion it seeks to establish, the Court concludes that any public interest in obtaining the requested information does not substantially outweigh the seriousness of the invasion of privacy that would occur," concludes the judgment to allow the DHCD motion to dismiss the petition.

We see these statements as egregious legal overreach and a projection by Judge

Cowin that mistakenly presupposes MassLandlords' intent without having fully heard our case, and clearly not understanding it. For a judge to assume and state that MassLandlords is wrong in its contention that there is public interest, without having considered what the public interest might involve, is a legal error and warrants strong reconsideration.

JUDGE MAKES ERROR OF LAW

The lawsuit dismissal is not the end of legal action or recourse, and we intend to appeal the judgment and file a motion to reconsider.

In our motion and appeal, we will emphasize what we interpret as gross inattention to our intention and methodology in the judgment to allow dismissal. The associate justice wrote in her judgment that the right of the public to know what has taken place to result in such high percentages of unapproved applications does not justify releasing private data.

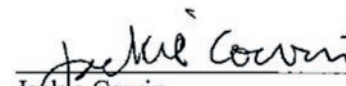
Further, it appears from the Complaint that MassLandlords' suspicion arises not from any affirmative acts by the Department, but rather from what MassLandlords perceives is an alleged lack of procedures in place to assist these groups. Complaint, ¶¶6-7. Such an allegation does not "establish more than a bare suspicion" that any "government impropriety might have occurred," as required to overcome an otherwise controlling private interest. *Id.*

Finally, the privacy interest in the information sought is significant, as established by the statutory and common-law protection generally afforded to information related to public assistance, noted above. Given the tenuous connection between the records MassLandlords requests and the conclusion it seeks to establish, the Court concludes that any public interest in obtaining the requested information does not substantially outweigh the seriousness of the invasion of privacy that would occur.²

ORDER

Accordingly, the Department's Motion to Dismiss is ALLOWED.

Date: July 11, 2022


Jackie Cowin
Justice of the Superior Court

The final page of the MassLandlords lawsuit dismissal by Justice of the Superior Court Jackie Cowin illustrates her mischaracterization of the case. We have outlined a section to show the incongruity of her judgment with what our lawsuit actually intends: to force the release of DHCD data that may determine if rental assistance applications were inadvertently timed out or otherwise errantly not approved. Our suspicion is borne out of tens of thousands of applicants being rejected for rental assistance and, we suspect, many of them subsequently evicted from their homes. We aim to determine if this injustice was the result of DHCD's "alleged lack of procedures."

LANDLORD INCENTIVE PROGRAM

The City has launched a program to support landlords who rent to Boston households moving out of homelessness.

The program provides landlords with **signing bonuses, holding fees, and other incentives**. It also offers access to prospective tenants – with rental subsidies and a dedicated housing support provider – who are ready to sign leases.

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MassLandlords would argue, in part: if a potential miscarriage of justice on such a large scale – in which thousands of citizens may have been evicted from their homes to no fault of their own but to the fault of DHCD agencies – does not justify the release of data that would explain why it happened, what would? And if the state were to admit it did a bad job, as Attorney Cray outlined, what level of incompetence would rise to the level of public interest and recourse?

MassLandlords seeks to know why tens of thousands of applications for rental assistance were timed out or rejected with no substantive explanation on the part of DHCD authorizing agencies. Addresses listed on applications would allow us to statistically compare data from housing courts to determine if application rejections have disproportionately and unjustly affected certain groups. Some applicants, for example, may have

language or cultural barriers to completing applications, or may be subject to discrimination.

EXPLANATION NEEDED

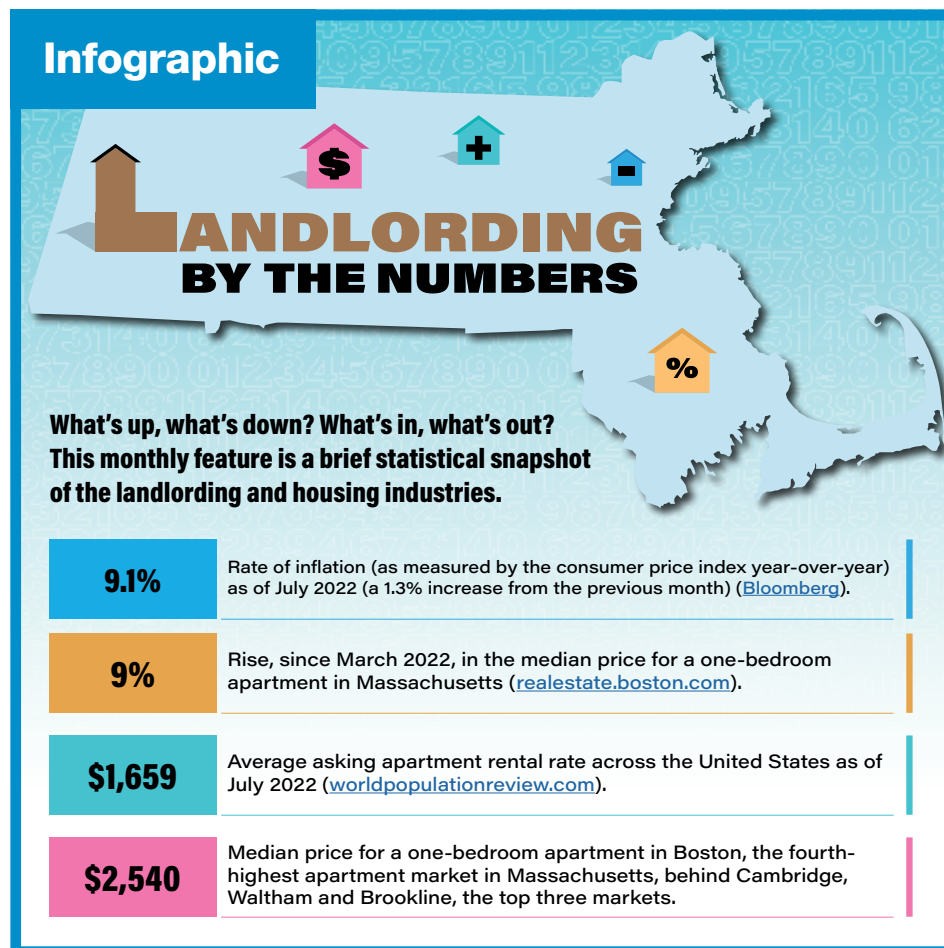
DHCD received nearly \$1 billion from federal and state coffers to assist with housing and provide relief for people who were impacted financially by the pandemic that would help them remain in their homes. The agency distributed less than half of those funds for rental assistance. Yet thousands of applications for rental assistance were turned down or unprocessed without explanation, and many of those applicants, we suspect, were subsequently evicted from their homes.

We would like to know why this happened, and if it unfairly affected immigrants, people of color, families with children and people with disabilities. Only by determining if that was the case can we begin to repair the damage.

Because we view this as an essential investigation, we will continue to pursue the data that we believe will shed light on what exactly took place, despite the recent allowance of dismissal.

We will continue to keep our members updated on this case. 

Point your camera app here to read more online.



REGIONAL

MassLandlords Upcoming events

See details under each region

2022 SEPTEMBER

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6	7	8 Zoning Reform, NWCLA 5:00pm - 6:40pm, 7:00pm-8:00pm	9	10 Cambridge Crash Course 8:30am - 3:00pm
11	12 SWLCA 7:00pm-8:00pm	13 MWPOA 7:00pm - 8:00pm	14 Emotional Support Animals 5:00pm - 6:40pm	15	16	17
18	19	20 MRHA 5:00pm - 6:40pm	21	22 Smart Building Technology 12:00pm - 1:00pm	23	24
25	26 Communicating with Stressed-out, Difficult Tenants 5:00pm - 6:40pm	27	28	29	30	

2022 OCTOBER

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 SWLCA 7:00pm-8:00pm	4	5 Good Landlord Hygiene 5:00pm - 6:40pm	6	7	8
9	10	11 MWPOA 7:00pm - 8:00pm	12 Virtual Meeting 5:00pm - 6:40pm	13 Virtual Meeting, NWCLA 5:00pm - 6:40pm, 7:00pm-8:00pm	14	15
16	17	18 Virtual Meeting 5:00pm - 6:40pm	19	20	21	22
23	24	25	26	27	28	29
30	31 Virtual Meeting 5:00pm - 6:40pm					

STATEWIDE

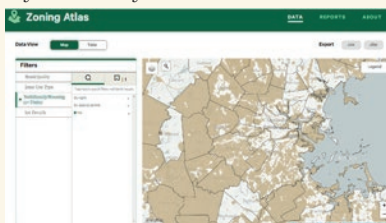
Statewide Virtual Meeting: Zoning Reform and Land Use Research Session

THU
09/08

At this event we'll have a directed group discussion about zoning reform and land use. Our focus will of course be on multifamily housing. We will start with a short presentation on zoning and land use restrictions, including a zoning reform proposed in Newton. (This discussion is not limited to landlords with ties to Newton.) We will aim to cover a variety of topics of interest to zoning reform researchers and advocates, including:

- How many of us have recently added a unit to an existing developed lot?
- How many of us would add units to existing developed lots if we could?
- What do we think some of the upsides of zoning reform are? What are some of the downsides?
- What is it like to try for a zoning appeal?
- Why do landlords support zoning reform?

Attendees will leave having shared perspective with MassLandlords staff and research associates in ways that will influence academic research and policy advocacy.



The MAPC Zoning Atlas shows that huge swaths of areas perceived as dense no longer allow creation or restoration of 2+ units on a single lot (brown), even with special permission. More than half of Boston is now effectively single family.



Jenna Davis, PhD Student in Urban Planning at Columbia University.

This discussion will be moderated in part by **Jenna Davis**. Jenna is a PhD Candidate in Urban Planning at the Graduate School of Architecture, Planning and Preservation of Columbia University. Jenna's current research examines how local land use regulations interact with neighborhood change in North American cities.

Members register for no charge in just a few clicks!

Public attendees register via zoom!

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Open to attendees statewide

You are welcome to participate in this virtual meeting no matter where you are.

THURSDAY, SEPTEMBER 8TH

VIRTUAL MEETING AGENDA (NEW TIMES!)

- 5:00 pm Sign-in and virtual networking: you can chat with others as people log in
- 5:40 pm Presentation and discussion
- 6:40 pm Virtual meeting ends

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Participation is Easy

We have two formats of online events:

- **Virtual meetings** include optional audience participation via video, phone, and screenshare and are not recorded.
- **Webinars** have limited participation options (typed questions only) and are recorded.

Our **virtual registration desk** is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email hello@masslandlords.net for live, real-time help signing in and using your technology.

If joining a virtual meeting, please use the zoom "test audio" feature. You will be allowed to talk to others if your microphone is good and there is no background noise. We reserve the right to mute anyone for any reason. Attendees without a microphone or who don't want to be heard can type questions.

VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

- Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable online.

Topic: Zoning Reform and Land Use Virtual Meeting September 8, 2022

Time: Sep 8, 2022 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 849 6699 2784

Passcode: Will be emailed and viewable online

Dial by your location

- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 646 876 9923 US (New York)
- +1 646 931 3860 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

+1 386 347 5053 US
 +1 408 638 0968 US (San Jose)
 +1 564 217 2000 US

Meeting ID: 849 6699 2784

Passcode: Will be emailed and viewable [online](#)

Find your local number:
<https://us02web.zoom.us/j/kcGE10NVY>

PRICING

Open to the public. Membership is not required!

- Contemporaneous participation:
 - o Public: No charge.
Registration is required.
 - o Members: No charge.
Registration is required.

Public Registrants: Please note that by registering for this free event you will be automatically added to our mailing list. You can always unsubscribe from our mailing list, by clicking on unsubscribe link at the bottom of any email you may receive.

This event will not be recorded.

Slides and handouts if any will be uploaded to [Landlord Support for Zoning Reform](#).

[Click here to register for this event](#)

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. [Beep in.](#) [Leave feedback/beep out.](#)

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? [Submit a speaker request.](#)

This is part of the [Virtual rental real estate networking and training series](#).

Google calendar users: [add our event calendar to your own.](#)

Google calendar users: [add this event only to your calendar.](#)

iPhone & iPad users: [add our event calendar to iCal.](#)

Outlook users: [add our event calendar to Outlook.](#)

Statewide Virtual Meeting: Emotional Support Animals (Streamlined Agenda Times)

WED
09/14

This presentation will review the legal framework for service animals and assistance animals. We will also cover emotional support animals, a type of assistance animal.

Service animals and assistance animals are needed by those of us living with certain disabilities. Legal protections in the U.S. and Massachusetts increase the availability of accessible housing. But some unscrupulous renters **abuse the law**. We as landlords see ordinary pets paraded through our rental application and right into our "no pets" apartment. What are landlords supposed to do? How can we protect our property against unreasonable damage? How can we safeguard a renter's rights when they say they legitimately need an animal? And **what's the correct terminology to use?**

This presentation will review U.S. law and regulation, state law and regulation, and how discrimination lawsuits begin. This presentation has been updated to reflect the latest HUD guidance.



Emotional Support Animals



Attorney Adam Sherwin of The Sherwin Law Firm

Part of this presentation will be given by attorney Adam Sherwin. Adam is an experienced real estate litigator with years of experience representing landlords, property owners, and other real estate professionals. He has extensive experience litigating real estate disputes before judges and juries and has obtained favorable decisions from the Massachusetts Appeals Court and District Court Appellate Division. He is also a long-time crash course instructor at the Cambridge headquarters and over zoom.

Networking time host to be announced.

[Purchase your ticket in just a few clicks!](#)

"No Sales Pitch" Guarantee

MassLandlords offers attendees of directly managed events a "No Sales Pitch" guarantee. If a guest speaker offers services, their presentation will not discuss pricing, promotions, or reasons why you should hire them. We do not permit speakers to pay for or sponsor events. Guest speakers are chosen for their expertise and willingness to present helpful educational content. Your purchase of an event ticket sustains our nonprofit model.

WEDNESDAY, SEPTEMBER 14TH

VIRTUAL MEETING AGENDA (NEW TIMES!)

5:00 pm Sign-in and virtual networking:
you can chat with others as people log in

5:40 pm Presentation

6:40 pm Virtual meeting ends

By member survey, the business has been reimagined as a set of convenient [videos viewable anytime online.](#)

Participation is Easy

We have two formats of online events:

- **Virtual meetings** include optional audience participation via video, phone, and screenshare and are not recorded.
- **Webinars** have limited participation options (typed questions only) and are recorded.

Our **virtual registration desk** is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or

MEMBERSHIP BENEFITS



RENTAL FORMS

Download a complete set of up-to-date rental forms (applications, leases, notices to quit, and more).



LEGAL STANDING

Vote in MassLandlords elections, serve on boards, and be represented in policy discussions with local and state officials.



CERTIFICATION

Become a Certified Massachusetts Landlord™.



HOME DEPOT SAVINGS

Members save on most items at Home Depot stores and online, including appliances, lighting, lumber, hardware, paint and more.



SERVICE PROVIDER DIRECTORY

Search for service providers or be listed as one (electricians, managers, realtors, attorneys, plumbers, snow removers, and much, much more).



VIDEOS, ANALYSIS, & SPREADSHEETS

Watch past events, learn about the laws, and access spreadsheets you can build on like our heat pump vs furnace calculator.



MESSAGE BOARDS

24/7 access to Massachusetts Landlords for advice and/or to contribute your professional expertise.



SEARCH EVICTIONS

Search eviction records by address for acquisition due diligence.



EVENTS

Weekly networking and education at virtual events.



COLLECT CHECKS ONLINE

Virtual office manager free trial at RentHelper.



CREDIT SCREENING COUPONS

Save on SmartScreen credit reports.



ENTITY FORMATION SAVINGS

Create LLC's or Inc's for a low, members-only fixed price via New Leaf Legal.



Schedule Calls With Our Staff for Business Advice and Legal Information

**For Just
\$90/HR**

Or add the helpline to your membership for a low annual fee and rest assured that you will have one-on-one access to our counselors and attorney referrals for:

- ✓ Landlord rights and responsibilities
- ✓ Nonpayment of rent
- ✓ Contractor disputes
- ✓ Termination of tenancies and eviction
- ✓ Rent increases
- ✓ Angry neighbors
- ✓ Municipal fines or assessments,
- ✓ Building disasters
- ✓ Sleepless nights

Schedule a consult: **774-314-1896** or **hello@masslandlords.net**

email hello@masslandlords.net for live, real-time help signing in and using your technology.

If joining a virtual meeting, please use the zoom "test audio" feature. You will be allowed to talk to others if your microphone is good and there is no background noise. We reserve the right to mute anyone for any reason. Attendees without a microphone or who don't want to be heard can type questions.

VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

- Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable [online](#).

Topic: Emotional Support Animals
Virtual Meeting September 14, 2022

Time: Sep 14, 2022 08:00 AM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88090898151>

Meeting ID: 880 9089 8151

Passcode: Will be emailed and viewable [online](#)

Dial by your location
+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)
+1 408 638 0968 US (San Jose)
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 386 347 5053 US

Meeting ID: 880 9089 8151

Passcode: Will be emailed and viewable [online](#)

Find your local number:
<https://us02web.zoom.us/j/kjVUKEoOM>

PRICING

Open to the public. Membership is not required!

- Public: \$21
- Members: \$7

This event will not be recorded.

Slides and handouts if any will be uploaded to [Emotional Support Animals](#).

[Click here to purchase tickets for this event](#)

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. [Beep in](#). [Leave feedback/beep out](#).

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? [Submit a speaker request](#).

This is part of the [Virtual rental real estate networking and training series](#).

Google calendar users: [add our event calendar to your own](#).

iPhone & iPad users: [add our event calendar to iCal](#).

Outlook users: [add our event calendar to Outlook](#).

Statewide Virtual Meeting: Supercharge the Deleading Credit and End Poisoning Forever?

TUE
09/20

This members-only discussion will review an opportunity to dramatically increase the state deleading credit. Massachusetts has the opportunity to reach functional zero lead poisoning. The upcoming 193rd legislative session may accomplish this.

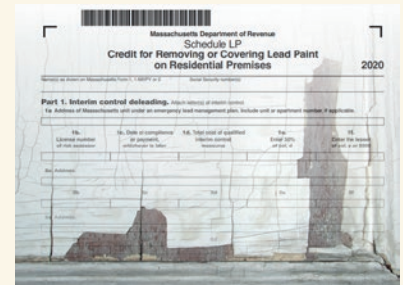
We'll review the situation and the opportunities:

- Lead poisonings increased 20% during the pandemic.
- Despite 50 years of leadership in lead poisoning prevention, Massachusetts' progress could stall.
- A unique opportunity exists to build a coalition with real estate groups and renter advocacy organizations to jointly file a bill.
- The Chapter 111 Governor's Advisory Committee could get us high-level sponsorship.

At this meeting we will review a MassLandlords plan to eliminate lead as a concern for landlords, families and the

commonwealth. We can be the first state in the country to reach functional zero lead poisoning in old housing stock.

You may have already received a special invitation to this event because of your dual status as an MRHA member. This is the same event. Your input is still required. This event is open to all MassLandlords members, as well.



Schedule LP currently allows for \$1,500 per unit. The cost to delead a unit with original wooden windows is now \$15,000 per unit, ten times higher. Derivative of CC BY 2.0 Bart Everson Flickr.



MassLandlords Executive Director Doug Quattrochi

This presentation will be given by **Doug Quattrochi**, Executive Director, MassLandlords, Inc. Doug was a founding member of MassLandlords in 2013. He became the association's first Executive Director under new bylaws in 2014. Since then, he has scaled the organization from a core of 160 members in Worcester to approximately 2,500 dues paying businesses from Pittsfield to the Cape, and from an all-volunteer team to approximately 20 full and part-time staff plus 50 volunteers. Doug has been instrumental in advancing democratic governance mechanisms, including score voting for policy priorities and a staggered and democratically elected Board of Directors. Doug also oversees the RentHelper spin-off, which is expanding access to electronic banking for those of us who

are unbanked or underbanked. Prior to MassLandlords, Doug held leadership roles in various Massachusetts startups, two of which are still operating. Doug holds a Master of Science in Aerospace Engineering from the Massachusetts Institute of Technology.

"Doug's presentation was excellent. He was very clear and provided detailed explanations." -Larry

"Doug always holds very informative classes full of substance and Very organized!" -Thomas

"Your answers to member's questions were most helpful." -Liz



Erin Zamarro of A.A. Zamarro Realty will moderate networking time.
You can volunteer for a future event.

Networking time for this event will be moderated by **Erin Zamarro**. Erin lives and works in Worcester. Erin is a real estate broker at A.A. Zamarro Realty, an independent brokerage which has operated in the Worcester residential and commercial real estate markets

for over 50 years. Our office frequently works with buyers and sellers of investment property. Erin is a Certified Massachusetts Landlord™ as well as a member of the National Association of Realtors. Erin received a B.A. from Holy Cross and an M.B.A with a concentration in Marketing from Clark University.

Purchase your ticket in just a few clicks!

"No Sales Pitch" Guarantee

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TUESDAY, SEPTEMBER 20TH

VIRTUAL MEETING AGENDA

(NEW TIMES!)

5:20 pm Sign-in and virtual networking:
you can chat with others
as people log in

6:00 pm Presentation

7:00 pm Virtual meeting ends

By member survey, the business has been reimagined as a set of convenient videos viewable anytime online.

Participation is Easy

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phone, and screenshare and are not recorded.

- **Webinars** have limited participation options (typed questions only) and are recorded.

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VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

- Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable online.

PRICING

This event is not open to the public. Membership is required.

- Contemporaneous participation:
 - o Public: Not available
 - o Members: Free

This event will not be recorded.

Slides and handouts if any will be uploaded to Lead Paint Future Policy.

Click here to purchase tickets for this event

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? Submit a speaker request.

This is part of the Virtual rental real estate networking and training series.

SANDONATO LAW

21 McGrath Highway Suite 405, Quincy MA 02169
(E) msandonato@sandonatolaw.com
(Ph) 617-481-2742

✓ *Landlord Tenant*

✓ *Estate Planning*

✓ *Probate*

Google calendar users: [add our event calendar to your own.](#)

iPhone & iPad users: [add our event calendar to iCal.](#)

Outlook users: [add our event calendar to Outlook.](#)

Statewide Virtual Meeting: Communicating with Stressed-out, Difficult Tenants

MON
09/26

This panel discussion will help us develop self-management, communication and conflict-resolution skills. We will particularly focus on high-conflict situations. We will cover:

- How owners and managers can earn goodwill before drawing down on it.
- "Going to the balcony" for mental separation from heated, emotionally charged tenant situations.
- Phrases and approaches that de-escalate, especially where a renter escalates.
- When renters threaten unnecessarily to call city inspectors or deny access to make repairs.
- Identifying the time and place for simple listening vs. problem solving vs. going to court.
- How to bring up difficult situations like unauthorized occupants, rent withholding, property damage, noise and nuisance and more.

Attendees will leave having been introduced to basic approaches, examples of phrases to use or avoid, and best practices for resolving difficult situations.



Stressful situations don't need to remain so. We'll show you how to manage your own and other's reactions.



Kris Snyder, Certified Massachusetts Landlord



Peter Shapiro runs Good Landlord Consulting Services (GLCS) and is a MassLandlords Helpline Counselor

Part of this event will be presented by by **Peter Shapiro**. A graduate of MIT's Master's Program in City Planning, Peter founded and directed Mediation For Results, a Program at Just-A-Start Corporation, a nonprofit in Cambridge, Massachusetts. From 1990 to 2015, Peter and his team provided landlord counseling, mediation and homelessness prevention, and led landlord support groups across Metro Boston. Peter now provides Helpline and Member services for MassLandlords and also provides landlord counseling and mediation for the City of Boston. Peter is the author of *The Good Landlord: A Guide to Making a Profit While Making a Difference*.

Part of this event will be presented by **Kris Snyder**, member and Certified Massachusetts Landlord Level One Provisional. Kris has a professional background in customer service across several industries, including nonprofits. They are practiced at deescalation and diffusing via written communication

including texts, chat and email. Kris also has sexual assault disclosure training via BARCC that has taught them valuable skills for making sure people feel heard and listened to when they are experiencing trauma or other stress. Kris has been a regular contributor to our members-only Facebook discussion group.



Patrick Sullivan of Obtainable Sobriety, also a MassLandlords Director, will moderate networking time.

You can volunteer for a future event.

Networking time will be moderated by **Patrick Sullivan**. Patrick has been an avid landlord since 2007 primarily focusing on multi families in the greater Worcester area. Having worked in high level IT his whole life he looks at things from a different perspective which he applies to real estate. He became a Real Estate agent in 2015 and now primarily focuses on Sober living facilities for people recently out of drug and alcohol treatment centers. Patrick sits on the statewide MassLandlords Board of Directors.

Purchase your ticket in just a few clicks!

"No Sales Pitch" Guarantee
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MONDAY, SEPTEMBER 26TH**VIRTUAL MEETING AGENDA****(NEW TIMES!)**

5:00 pm Sign-in and virtual networking:
you can chit chat with others
as people log in

5:40 pm Presentation

6:40 pm Virtual meeting ends

By member survey, the business has
been reimagined as a set of conve-
nient videos viewable anytime online.

Participation is Easy

We have two formats of online events:

- **Virtual meetings** include optional audience participation via video, phone, and screenshare and are not recorded.
- **Webinars** have limited participation options (typed questions only) and are recorded.

Our **virtual registration desk** is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email hello@masslandlords.net for live, real-time help signing in and using your technology.

If joining a virtual meeting, please use the zoom "test audio" feature. You will be allowed to talk to others if your microphone is good and there is no background noise. We reserve the right to mute anyone for any reason. Attendees without a microphone or who don't want to be heard can type questions.

VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

- Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable online.

Topic: Communicating with Stressed-out Tenants Virtual Meeting September 26, 2022

Time: Sep 26, 2022 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88032005333>

Meeting ID: 880 3200 5333

Passcode: Password will be emailed and viewable online

Dial by your location

+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)
+1 309 205 3325 US
+1 408 638 0968 US (San Jose)
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 719 359 4580 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 386 347 5053 US

Meeting ID: 880 3200 5333

Passcode: Password will be emailed and viewable online

Find your local number:
<https://us02web.zoom.us/j/kb5mPwz1mn>

PRICING

Open to the public. Membership is not required!

- Public: \$21
- Members: \$7

This event will not be recorded.

Slides and handouts if any will be uploaded to Communicating with Tenants.

Click here to purchase tickets for this event

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? Submit a speaker request.

This is part of the Virtual rental real estate networking and training series.

Google calendar users: add our event calendar to your own.

iPhone & iPad users: add our event calendar to iCal.

Outlook users: add our event calendar to Outlook.

**BERKSHIRE COUNTY
BOSTON, CAMBRIDGE, SOMERVILLE****Cambridge:
The MassLandlords
Crash Course in
Landlording**

**SAT
09/10**

Learn everything you need to succeed as an owner or manager of residential rental property in Massachusetts.



PROXIMA

Eviction Moving & Storage

Helping landlords with tenants who are required
by law to be removed from the property

✓ Lowest Fixed Rates ✓ No Hidden Fees ✓ Licensed, Bonded, Insured

Call to schedule:

617-588-0111

Visit to learn more:

<http://evictionMovingandStorage.com>

This fast-paced course is strictly limited to 16 participants to allow for detailed discussion and Q&A. Course tuition includes:

- Small group session with the Executive Director, a trained presenter and experienced landlord, and the attorney.
- A comprehensive agenda, see below.
- Your choice of two books:
 - *Every Landlord's Tax Deduction Guide* by NOLO,
 - *The Good Landlord* by Peter Shapiro,
 - *Getting to Yes* by Roger Fisher, and/or
 - *The Housing Manual* by H. John Fisher.
- A bound summary of all material presented.
- Breakfast pastries, coffee, tea.
- Lunch sandwiches, sodas, chips, cookies; all dietary requirements satisfied, please notify us when you purchase a ticket.
- A MassLandlords ballpoint pen.
- A MassLandlords certificate of completion and permission to use "MassLandlords Crash Course graduate" on your marketing material.

You will receive a box packed with your personalized signed certificate, your choice of two books, course notes, pen, and half a dozen other pieces of literature.

Purchase your ticket in just a few clicks!



Instructor Douglas Quattrochi



Instructor Attorney Adam Sherwin

Featured Testimonial



"I simply wanted to reach out and express just how happy I am to have attended the landlording crash course.

The presentation and delivery of the information was flawless and I certainly have walked away with a greater understanding of the intricacies that govern being an above average landlord/manager." – **Michael Murray**

SATURDAY, SEPTEMBER 10TH, 2022

CRASH COURSE AGENDA

SATURDAY, SEPTEMBER 10TH, 2022

- 8:30am - Introduction of MassLandlords and course participants
- 8:45am - Rental markets
 - Urban, suburban, rural
 - Luxury, college, professional, working, subsidized, rooming houses
- 9:00am - Property selection
 - Lead paint (Legal highlight)
 - Utilities
 - Bones vs surfaces
 - Amenities
 - Repairs and renovations
 - Durable vs beautiful
 - What if I'm stuck with what I've got?
- 9:40am - Sales and marketing 101 for rental property managers
 - Marketing rentals
 - Sales process
 - Staying organized
 - Branding a small business
 - Getting more or fewer calls
 - Tips and tricks
- 10:05am - Break for ten minutes
- 10:15am - Finish sales and marketing
- 10:35am - Applications and screening
 - Criminal, credit, eviction
 - Discrimination (legal highlight)
 - Tenant Screening Workshop
- 11:30am - Rental Forms
 - Lease vs Tenancy at Will
 - iCORI
 - Eviction notices
- 11:50am - Break and Lunch, with free form Q&A
- 12:20pm - Finish rental forms
- 12:40pm - Legal Matters start
 - Late fees

- Security deposits
- Eviction process
- Move-and-store
- Water and electrical submetering
- Housing Court vs District Court
- Warranty of habitability
- Inspections
- Subsidies
- Rent control

1:40pm - Break for ten minutes

- 1:50pm - Maintenance, hiring, and operations
- Keeping the rent roll and expenses
- Filing taxes
- To manage or not to manage
- Tenants as customers
- Notifying tenants
- Extermination
- Monitoring contractors
- Lease violations and conflict resolution
- Record keeping

2:40pm - Overview of books and resources for further education

2:45pm - Review of unanswered questions

3:00pm - End Course

Please note that end time each day may vary based on questions.

LOCATION

Cambridge Innovation Center
14th Floor, Charles Conference Room
One Broadway
Cambridge, MA 02134

Please note: CIC has several buildings in Kendall Square, two of them being adjacent to each other. The correct location for this event is the building with light colored concrete, vertical windows and a Dunkin Donuts on the ground level. You will **NOT** see a CIC sign. Refer to the image below.



ACCESSING FROM THE T

- Exit the Kendall T stop on Main St.
- Cross to the side of Main St. with the Chipotle and walk up the street towards Broadway, passing the Chipotle on your left.
- You will then round the corner to the left and One Broadway will be across the street diagonally.
- Cross over Third St. and Broadway to arrive at One Broadway.

For all attendees Upon entering One Broadway, you will need to check in with the lobby security. You'll just need to show your ID and let them know you're going to the MassLandlords event and which floor.

PARKING

Accessible by T and highway. Parking available in several garages for weekend rates. See [CIC Directions](#) for details. Pilgrim Parking has affordable rates and is a short walk from the venue, [click here](#) for details



This event is in-person only. There is no zoom option. Look for our next crash course over zoom or locally.

FOOD

- Breakfast:
 - o Fresh bagels, large muffins, cinnamon rolls, coffee cake slices and scones with cream cheese, butter, and jam
 - o Fresh fruit platter
 - o Assorted fruit juices and coffee
- Lunch:
 - o Assorted gourmet sandwiches
 - o Garden salad
 - o Pasta salad
 - o Assorted pastries
 - o Soda, juice, water

*Please email hello@masslandlords.net if you have any dietary restrictions and need a special meal.

This event will not be recorded.

PRICING

Open to the public. Membership is not required, but advance registration is required!

- Online:
 - o Non-members: \$250
 - o Members: \$225 (log in before you register or you will see the non-member price)
- Online registration required. All ticket sales final.

[Click here to purchase tickets for this event](#)

The training counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

Membership.

This is part of the Virtual rental real estate networking and training series.

Google calendar users: [add our event calendar to your own.](#)

iPhone & iPad users: [add our event calendar to iCal.](#)

Outlook users: [add our event calendar to Outlook.](#)

CENTRAL WORCESTER COUNTY

Wanted for Guarantee: Worcester Studios and One Bedrooms

The City of Worcester has signed an agreement to pilot a landlord-tenant guarantee fund, under which you may be eligible to receive \$10,000 of coverage for unpaid rent, property damage, and attorney's fees if you rent to one of our renters instead of a market renter.

The guarantees are being issued to Worcester landlords who choose to rent to residents currently experiencing homeless in the city. All of our residents have been awarded permanent subsidies

(MRVP, VASH, or Section 8) so they can pay the rent. All of our residents also receive supportive services, so they get help with whatever caused them to experience homelessness in the first place. These residents are all individuals, so we are looking for studios or one-bedrooms near bus routes.

You will still be able to screen your renter as normal. You will have to waive screening criteria that would adversely affect an applicant with non-violent criminal history, bad credit, and/or an eviction record. All other screens can be conducted as normal (ability to pay rent, move-in monies, smoking, pets, etc.).

You will get unlimited helpline access if you participate. We can issue these guarantees because we know in over 80% of cases, you won't lose a dime, and we won't have to pay the guarantee.

For no-obligation information, call the helpline at 774-314-1896 or email hello@masslandlords.net.

**CHARLES RIVER (GREATER WALTHAM)
GREATER SPRINGFIELD
LAWRENCE
METROWEST
NORTH SHORE
NORTHERN WORCESTER COUNTY**

Fitchburg: Massachusetts State Police

THU
09/08

Join us, this month we will hear from the Massachusetts State Police Narcotics Section. Learn about common signs of drug activity and how to prevent them at your properties.

Meetings are open to the public! In-person tickets are \$20. Become a member and the annual dues pay for all 10 meetings a year! This meeting will NOT be available over Zoom.

THURSDAY, SEPTEMBER 8TH**NWCLA MEETING AGENDA**

Visit nwcla.com for any last-minute updates or changes.

7:00pm Dinner, Networking & Presentations
Networking draws from 25 towns including Fitchburg, Gardner, Leominster, Athol,

Holden, Ayer, Orange, Ashburnham, Spencer, Ashby, Lunenburg, Townsend, Westminster, Princeton, Sterling, Lancaster, Shirley, Groton, Pepperell, Winchedon, Templeton, and Hubbardston.

IN PERSON LOCATION

British American Club
1 Simonds Road
Fitchburg, MA 01420

FOOD

- Dinner will be provided.

PRICING

NWCLA Membership not required!
Open to the public.

- In person ticket - Public and MassLandlords Members other than NWCLA: \$20
- MassLandlords.net/NWCLA members: pay annual NWCLA dues, then free

This event is operated by volunteers.

SOUTHERN WORCESTER COUNTY

Southbridge: Reducing and Stabilizing Long Term Electricity and Natural Gas Costs in Uncertain Rate Environments

As the Managing Partner for Allmass Energy, Kandi Perri is responsible for the strategic direction, vision, growth, and performance of the company. She is

a seasoned professional with more than 25 years' experience, bringing to the table a proven track record of providing innovative and cost-effective solutions to her clients.

Prior to AllMass, Kandi was Senior Vice President of Sales for a national energy supplier, where she was responsible for the company's highest producing region, covering 26 utility markets and 2.2 million in revenue.

Kandi is a frequent lecturer on topics including corporate values, leadership, and mental health awareness. She is a board member at Greater Gardner Chamber of Commerce, former President of the Worcester Executive Association and is a member of the North Worcester Business Association. She proudly volunteers her time with several organizations including, The Boy Scouts of America, Habitat for Humanity and Shatterproof.

Kandi holds a Bachelor of Science from Westfield State University and when she isn't working, you'll find her hanging with her horse, hunting down vinyl records, and attending music festivals.

Please join us for what promises to be a most informative presentation.

HYBRID: IN PERSON & ZOOM. Masks optional, but highly recommended if not fully vaccinated.

All members whose dues are up to date will be sent a Zoom link to the meeting via email. From that email, click the link and it will bring you to the meeting.

MONDAY, SEPTEMBER 12TH

SWCLA MEETING AGENDA

7:00pm Douglas Quattrochi, Executive Director, MassLandlords, Inc.
Update on
MassLandlords activities

7:15pm Kandi Perry, Managing Partner for Allmass Energy

IN PERSON LOCATION

PLEASE NOTE CHANGE IN MEETING LOCATION

The Golden Greek Restaurant

6 Sanderdale Road
Southbridge, MA 01550

(E. Main St. / Rt. 131, heading toward Connecticut, on the right-hand side, just past the Big-Y and McDonald's)
Plenty of free parking available

ZOOM DETAILS

Zoom meeting information will be emailed to SWCLA members on the day of the event and viewable online for SWCLA Members Only.

PRICING

Open to SWCLA Members only. Pay annual SWCLA dues then free. All SWCLA members whose dues are up to date will be sent a link to the meeting via email.

This event is operated by volunteers.

MON
09/12



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<https://masslandlords.net/events/speak>

& Fill out Form to Submit a Speaker Request

- ✓ Your platform
- ✓ Give back
- ✓ Free food
- ✓ Good publicity
- ✓ Well run
- ✓ Well attended

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