



JANUARY 2020

Don't Get Caught Up in a  
**RENTAL REAL ESTATE SCAM**

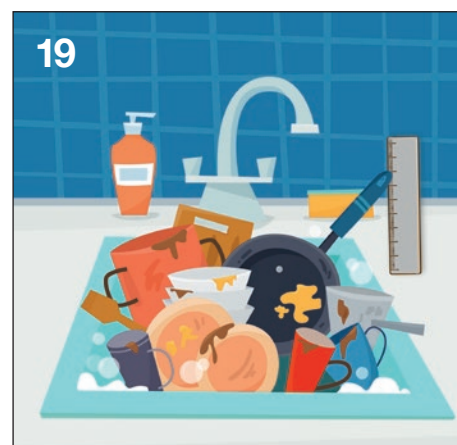
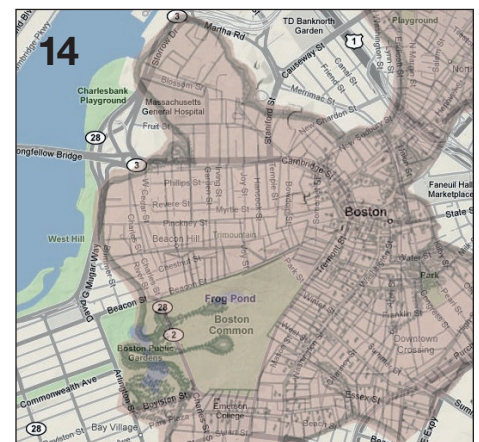
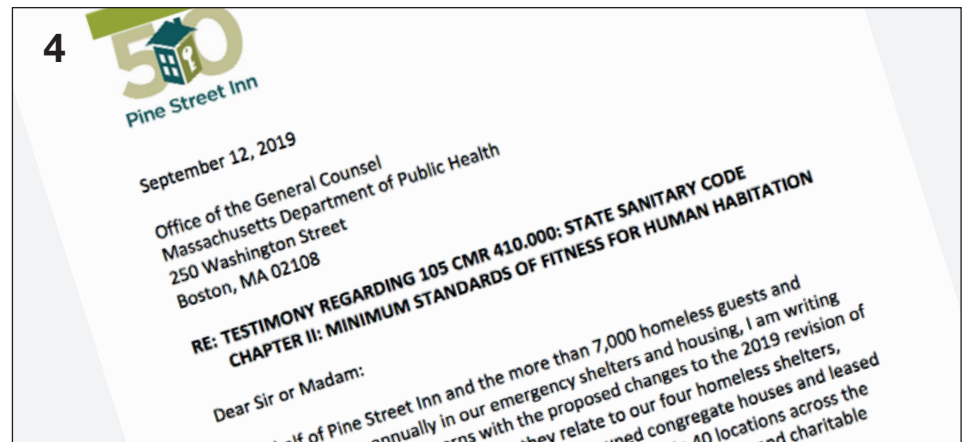
**WATER SUBMETERING:**  
Costs, Benefits and Legal  
Compliance

**CHANGES TO SANITARY  
CODE** ask Homeless  
Shelters to Wash Blankets,  
Increase Sleeping Space



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We also advocate for better laws.

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# Letter from the Executive Director

## IN THE LETTER FOR JANUARY 2020, WE LOOK BACK ON 2019 AND LOOK AHEAD TO A YEAR OF CERTIFIED MASSACHUSETTS LANDLORDS.

This month I'll review 2019 and look ahead at what we hope lies in store for 2020.

In 2019, MassLandlords membership reached an all-time high of 1,662 members state-wide, up 18% from a year ago. At time of writing, with the December books not yet closed, it looked like revenue would be up 29% year over year. We used our additional resources to continue laying the foundation of our trade association, with part-time jobs created in financial controls, newsletter writing, and website content.

Thanks to our Property Rights Supporters, 2019 funded significant policy firsts. We filed seven bills, a record, demonstrating nuanced understanding of the Housing Crisis and the policy that created it. We also experienced a very helpful SJC decision in the case of *Davis v Comerford*, for which we filed an amicus brief. Although this case leaves open the possibility of a free rent trick, it does eliminate a great deal of uncertainty when making rent escrow motions.

Two new services came online in 2019: the Helpline now makes it possible to get staff help on business decisions and reading the laws. Our Early Warning System now gives civic-minded owners advance warning of city and state hearings.

2019 was also a year of loss. Volunteer leaders Sandra Katz of Worcester, Paul Cummings of Greater Springfield, and Jennifer Patton of Charles River all passed, leaving us to carry our work forward without their guidance.

2020 will honor the memory of these and many more who have provided rental housing over the years by advancing the Certified Massachusetts Landlord™. In 2019, we launched Level One of this voluntary program. We have been pleased with the interest and participation so far.

The Certified Massachusetts Landlord Level Two™ will be a test of legal competence specific to Massachusetts. To our knowledge, such a test has never been offered to landlords in any state. It has been designed to identify a landlord's ability in as little test time as possible. The test curriculum will guide new owners to succeed as Massachusetts landlords. And it will differentiate experienced owners who have stayed current with changing laws and markets. The test software works. Practice questions are identifying the skill level of our test volunteers. We are on track for a roll-out this month.

Please tell a friend about all the great work we're doing. Rental real estate is a meaningful and rewarding business. Together we can make Massachusetts the best place to own *and* to rent.

Sincerely,

**Douglas Quattrochi**

Executive Director

MassLandlords, Inc.



# CHANGES TO SANITARY CODE ASK HOMELESS SHELTERS TO WASH BLANKETS, Increase Sleeping Space

By Kimberly Rau, MassLandlords Writer


**Proposed changes to the state sanitary code would bring shelters closer to private housing, viewed as big hurdles.**

Homeless shelters in Massachusetts are concerned about some of the proposed changes to 105 CMR 410: Minimum Standards of Fitness for Human Habitation, otherwise known as the state sanitary code, including additions that would require more space between beds and blankets be laundered between each person. Changes to the code, critics argue, would place additional burdens on an already taxed system. But others say these changes are long overdue.

Homeless shelters are exempt from many of the mandates placed upon landlords of private rental housing, but have other issues to consider. Unlike private rental housing, homeless shelters often rely on dorm-style sleeping areas where unaffiliated individuals occupy the same space. Common bathrooms, cooking areas, and beds that may change occupants on a daily basis are somewhat unique to homeless shelters. And landlords renting private residences are not typically going to be providing or laundering bed linens, something that individuals experiencing homelessness or those of us in other transient housing situations may need help with.

## ADDITIONAL LAUNDRY REQUIREMENTS COULD BE COSTLY

With the addition of Section 410.235 (A) and (B) to the state sanitary code, owners of rooming houses or homeless shelters



**Pine Street Inn**

[WWW.PINESTREETINN.ORG](http://WWW.PINESTREETINN.ORG)  
 444 Harrison Avenue  
 Boston, MA 02118  
 617.892.9100

September 12, 2019

Office of the General Counsel  
 Massachusetts Department of Public Health  
 250 Washington Street  
 Boston, MA 02108

**RE: TESTIMONY REGARDING 105 CMR 410.000: STATE SANITARY CODE  
 CHAPTER II: MINIMUM STANDARDS OF FITNESS FOR HUMAN HABITATION**

Dear Sir or Madam:

On behalf of Pine Street Inn and the more than 7,000 homeless guests and tenants we serve annually in our emergency shelters and housing, I am writing about our significant concerns with the proposed changes to the 2019 revision of the 105 CMR 410.000 standards as they relate to our four homeless shelters, totaling more than 720 beds, and all of our owned congregate houses and leased scattered site locations, totaling more than 850 beds in 40 locations across the city. This is a statewide issue, as it would affect many shelters and charitable housing providers across the commonwealth.

We do acknowledge and thank the Department for the response to our concerns noted in a letter dated October, 2017. Our remaining concerns are significant, however, and their potential financial and programmatic effects are outlined below.

**Changes to the state sanitary code could mean fewer beds and more work for Massachusetts shelters.**

would be required to launder bed linens, towels and blankets between use by different individuals. While none of the letter-writers questioned the laundering of sheets and towels, the requirement to launder blankets between each person caught the attention of Lyndia Downie, the president and executive director of Boston's Pine Street Inn.

"This will increase staffing costs to launder each blanket daily," she wrote in a letter to the Department of

Public Health in September. This is the second round of public commentary surrounding proposed changes to the sanitary code, the first having closed in 2017. "There will be additional costs to buy and store an additional day's worth of blankets in case of machine or staffing issues."

(MassLandlords attempted on Nov. 15 and December 13, 2019 to reach Downie for additional information. At time of writing, we had not received a response.)





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## WHERE SPACE IS AT A PREMIUM, SANITARY CODE CHANGES COULD MEAN FEWER BEDS

Though Downie's letter was the only one that addressed the laundering of blankets specifically, she wasn't the only shelter representative with concerns. Multiple people wrote letters to the Department of Health to request revisions to the verbiage that requires a certain amount of square footage for each person sleeping in a room. They also expressed concerns surrounding the proposed space requirements between beds in those rooms.

410.420(D)(4) states that "in every residence, each room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant." There is no verbiage exempting homeless shelters from this requirement.

"Square footage per bed ratios...would remove 111 beds from our emergency shelters in Quincy and Brockton, a 43% reduction in our bed capacity," wrote John Yazwinski, president and CEO of Father Bill's & MainSpring, a homeless shelter based in Brockton. The group's web site reports that they manage some 500 supportive housing units across the state. "During the cold winter months when temperatures plunge below freezing, this would be a death sentence."

For the state's homeless population, cold snaps can turn deadly. In western Massachusetts last January, two people were found dead after staying out in a tent overnight in freezing temperatures.

In an article from November 2019, a representative from the Pine Street Inn discussed the extra steps the group takes to keep as many people out of the cold as possible, including laying out extra cots and mats for people to sleep on, and calling other shelters if their four locations are full. If someone refuses to come to the shelter, they will provide extra blankets and food.

"We'll check on them frequently, just to ensure they're ok," Barbara Trevisan, who works for Pine Street Inn, told boston.com. "Both of those are sort of heightened elements during the cold snap."

The proposed amendments to 105 CMR 410.420(D)(5) state that homeless shelters must provide "a minimum of 3 feet separation between beds (4 ½ feet

for double bunks) and the space should be configured to provide at least 6 feet head-to-head separation."

Joe Finn, president and executive director of the Massachusetts Housing & Shelter Alliance, urged the Department of Public Health to include homeless shelters in the discussion of proposed changes in order for them to better understand the potential impact of the new requirements.

"A loss in shelter bed capacity without an appropriate increase in resources for permanent housing solutions would be detrimental to the Commonwealth's efforts to end homelessness," Finn wrote in a letter that was entered into public commentary in September 2019. Robert Mills, Chief Executive Officer of the Middlesex Human Service Agency, Inc., requested that (D)(5) be removed entirely.

"Many emergency shelters for homeless individuals utilize dormitory style bedrooms," Mills wrote. "The space requirements...would drastically reduce the number of beds that can be in a dormitory setting, resulting in reduced capacity....This is an especially concerning situation during the extreme hot weather and extreme cold weather that Massachusetts experiences on a regular basis and will place homeless individuals in jeopardy."

According to a report issued by the CDC, diseases such as tuberculosis and louse-borne diseases occur more frequently among homeless populations than in the general population. The CDC does not suggest a specific distance that should be observed between sleeping spaces. However, an article about administrative controls for tuberculosis in homeless shelters suggests that shelters maintain "as much space as possible between beds and [position] beds head to toe to reduce the possibility of transmission."

## MASSLANDLORDS' INPUT ON HOMELESSNESS AND THE SANITARY CODE


Testimony written by Peter Vickery, MassLandlords Legislative Affairs Counsel, touched on a few issues relative to the proposed sanitary code changes that view shelters from the perspective of property rights.

"We appreciate the hard work performed by the many providers of

assistance and homelessness shelter in our Commonwealth," wrote Vickery, who went on to say that many residents of shelters (especially those who refuse to enter shelter) are concerned with security for their personal effects, including shoes, jewelry and food.

Vickery suggested that the DPH add language that requires homeless shelters to provide residents with access to secure storage, such as a locker, that could house things such as winter coats or boots. The language Vickery suggested, which can be found in this letter ([click here](#), then scroll down to find the file for MassLandlords, Inc.) included provisions for access, abandoned property, and the nature of day-to-day transience at the shelters.

"We...thank you for this consideration in furtherance of private property rights, especially for those with the least, for whom even a small thing may be of great significance," Vickery concluded.

As of this article's publication, there are no amendments to the sanitary code proposed changes that reflect the letter writers' requests. The DPH is not obligated to make changes based on public commentary, and could enact the changes as they are presently proposed. It also has the option to make additional revisions or allow a third round of public commentary. MassLandlords will continue to provide updates as the process continues. 

## LINKS:

Cold snaps can turn deadly:

<http://clickmetertracking.com/westernmassnews-freezing>

Extreme cold Boston.com interview:

<http://clickmetertracking.com/boston-extremecold>

CDC report: Preventing and Controlling Emerging and Reemerging

Transmissible Disease in the Homeless:  
<http://clickmetertracking.com/cdc-prevention>

Administrative controls against tuberculosis in homeless shelters:

<http://clickmetertracking.com/cdc-admincontrols>

Public Commentary:

<http://clickmetertracking.com/massgov-commentary>



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# MassLandlords Advises Tenants **ON HIGH RENT**

By Kimberly Rau, MassLandlords Writer

## Rent costs are up, but all is not lost.

Rent costs in Boston are up 2.3 percent over last year, with a two-bedroom rental averaging more than \$2,100 a month and a single bedroom not far behind at around \$1,700. Doug Quattrochi and Peter Shapiro of MassLandlords spoke with WCVB 5 on Nov. 5 about ways renters can try to soften that blow.

Essentially, the key is communication and being willing to work with each other. Tenants should strive to have a good working relationship with their landlord, who would much rather keep an existing good tenant than go to the expense of finding a new one. Tenants should report problems in the rental early on, before they become big problems with bigger repair costs. Landlords of units where utilities are included may also be more willing to allow roommates to help split the rent if tenants offer to take over costs like the electric bill.

When possible, tenants can try to offer their services on small projects such as shoveling snow or mowing the lawn to lower what the landlord would otherwise have to pay an outside contractor to do. However, the article suggested an even exchange (labor for a lower rent) was the way to go, which could cause

problems down the road. While landlords should be willing to recognize situations that could benefit both parties, they should do so through the correct channels.

"I appreciated WCVB's interest and work on this story," Quattrochi said later. "The one thing is, they edited out my warning about having renters do work. They will be viewed as an employee or contractor. If you go this route, keep the rent where you want it and have a formal employment or subcontractor relationship with paper trail and all required workers comp insurance and tax reporting."

One final tip for landlords who recognize the value of long-term clients? Consider lowering rent if a tenant is willing to sign a lease that's longer than the standard 12-month contract. In the long term, keeping a good tenant at a slight discount is cheaper than finding a new tenant every year.

You can find the full interview [here](#). 

## LINKS

<https://www.wcvb.com/article/here-are-some-ways-you-can-save-on-rent-as-prices-increase-in-boston/29704676>

<http://clickmetertracking.com/high-rent>



Landlords might rejoice at high rents, but when the renter community asked for advice on saving money, MassLandlords was ready with creative and landlord-friendly suggestions.





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# Don't Get Caught Up in a RENTAL REAL ESTATE SCAM

By Kimberly Rau, MassLandlords Writer

## Four big scams landlords face, and their simple solutions

As a landlord, you may not be thinking about rental scams. After all, most rental scams focus on making potential tenants the victims. Scammers place ads with too-good-to-be-true houses up for rent at a fraction of market value. The tenant wires money to hold the place and shows up to find a house that was never available. There are endless variants on the scheme, and often, the landlord is a victim only insofar as their rental unit is used as part of the deception. However, when it comes to renting out property, there are still rental scams to watch out for.

Imagine you're in a hurry to get a unit rented. You find a potential tenant who looks good on paper. He even goes the extra mile and brings his own credit check with him, in theory to save you the trouble. He pays the deposit and first month's rent in cash, and everything seems fine, until the rent stops coming in. Your model tenant skips town, possibly wrecking the place before he takes off. Even if you could find him, in your haste, you never did get a signed conditions statement, meaning the damages are all coming out of your pocket. You're left holding the bag, and it could be months before your place is ready to rent again.



**Real estate rental scams are a problem, but avoiding them is easier than you think.**

There are a lot of red flags in that scenario, of course, but would you have spotted them all? Let's look at the rental scams that are most likely to catch a landlord off guard.

### FAKE DOCUMENTS RENTAL SCAM

Rental history, employment information and credit scores are all key pieces of information a landlord can use to vet a potential tenant. But in the age of Photoshop, creating fake documents

can be as easy as watching a tutorial on YouTube. The easiest way around that is to do your own due diligence. Run your own credit check and identity verification, even though it costs money. If you're not sure how to go about verifying a license, the company [Blockscore](#) offers identity verification products as well as a free trial.

Contact references.

It's possible that the phone numbers are falsified, too, but if you're concerned about that, a little acting on your part may bring the truth to light. One user of the site

[BiggerPockets](#) suggests you come up with a fictitious name to ask for when calling employers or other references. "If they're faking, they'll generally tell you who they really are when asked if they're a nonexistent business—but if you ask them [if they are who the tenant put down]...they're going to say yes. They're in on the scam." Another tried and true method is to ask open-ended questions. "So-and-so listed you on their rental application as a reference. How do you know them?" Friends say they've known them for years. References say something like, "I'm their boss."

If you need further convincing, you can check out [this article](#) from Huffington Post. A property manager who took a tenant at their word ended up with a ruined apartment, very angry landlord and damaged reputation. "I learned that it only takes one bad tenant to ruin a





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rental business," Janet said in the article (not her real name), "and the best way to deal with a bad tenant is to make sure they never move in."

### THE CASH VS. CREDIT CHECK RENTAL SCAM

Cash upfront sounds good to a lot of people, who may be tempted by the money and forgo a credit check. (The scheme typically starts when the tenant insists she needs to move in quickly, and offers multiple months' worth of rent in cash as long as they can move in immediately.) Other times, a polished, well-spoken person may be able to convince a landlord to let them move in right away regardless, trusting that their professional image will be enough of a credit check. But it's a recipe for disaster, as the following 2014 case from California shows. A professionally dressed woman with impeccable (falsified) rental history managed to cheat several landlords in high-end areas out of thousands of dollars in rent by writing

bad checks, and then living in the house rent-free during the eviction process.

It's important to remember that cash, even lots of it, is never a replacement for a credit check (performed by you, of course). Just because someone has money now does not mean they're going to have it halfway through the lease. And in Massachusetts, it's illegal to accept more than a security deposit, first and last months' rent and the cost of a new lock and key. You can avoid this particular rental scam by always performing a credit check on your own, and avoid trouble with the law by refusing extra rent.

### FREE RENT RENTAL SCAM

This one isn't technically a rental scam, but it is a way that scammers can take advantage of a landlord who isn't paying attention. There are lots of articles on the free rent trick already, but essentially, dishonest tenants report violations of the sanitary code, get an inspection, and stop paying rent while the court decides what needs to be done. The longer they can put off letting the landlord do the

court-ordered repairs, the longer they can live rent-free. Yes, in the end, back rent in some amount may be ordered, but if the tenant receives any kind of public assistance, they can avoid ever paying it. Even if they're evicted, they can just move on to another landlord.

The way to get around this one is also pretty straightforward. A MassLandlords video with Executive Director Doug Quattrochi describes how to avoid the free rent scam in detail and is worth the half hour investment to view in its entirety. A few key points include: First, have your tenants sign a conditions statement upon move-in. This prevents them from claiming the damages have existed from the beginning. Second, make sure you're up to date on what the sanitary code in Massachusetts requires (it's changing this year), and keep your rental units in good standing. If nonpayment is a concern, you may want to avoid going to court specifically for that, and as always, consult with an attorney before moving forward. There has been a push to mandate that rent be paid into escrow

during the investigation/repair process, but so far, no law exists to guarantee the landlord will get the rent that's owed when all is said and done.

MassLandlords is collecting information on use and occupancy motions through a [survey](#) that went live earlier this month. If you as a landlord do wind up in court over this issue, we would love to hear about the outcome from your case, which could help other landlords in the future.

### THE TOO-BIG CHECK RENTAL SCAM

Unfortunately, some rental scams are completely out of a property owner's control, and may only be avoided when outside people perform due diligence. Take the case of MassLandlords Executive Director Doug Quattrochi, who got a call from a landscaper asking whether he really wanted some shrubbery taken out of the yard. Quattrochi, who had no intentions of removing his rhododendron, learned the landscaper had been asked to remove the plant and send the overage from a bank check back to the thief. Had he done so, the thief's bank check would later bounce, while the contractor's partial refund cleared, leaving the scammer with money in his pocket. Quattrochi was saved from coming home to a hole in his yard only because the landscaper took time to track down his contact information before starting the job.

There's also no way for you to keep your rental from winding up as fodder for scammers, who can easily create an ad listing your address and asking people to wire money to hold the place for them. But there is a way that you can help potential tenants weed you out from the fakes, and that's by becoming a certified landlord through MassLandlords.

### CERTIFICATION

Landlord certification won't stop scammers from stealing your pictures and it won't stop them from asking people to pay for a place that was never theirs to rent out (and may not even be available, if you've already got a tenant). But by becoming a [certified landlord](#) through MassLandlords, you're agreeing to operate as a landlord at a certain level, committing to keep current on legislature and use MassLandlords "best practices." Depending on the level that you choose (there are three, with the last two levels scheduled to roll out by January 2020), you are also agreeing to take continuing education classes. By registering, it means that potential tenants can search for you, and ask you if you're the one actually renting out the apartment that someone is asking them to wire money to hold. It makes you look good, and it just may save someone from needlessly parting with their hard-earned cash.

In closing, most rental scams can be avoided by a savvy landlord who knows the law and knows how to do his due diligence. Of course, there are new rental

scams popping up constantly, so it also helps to pay attention to what's going on with other landlords in your area (if you aren't already on the MassLandlords message boards, they're a great resource). Keep your eyes open and your head up, and you're already ahead of the game. [ML](#)

### LINKS

Blockscore:

<http://clickmetertracking.com/blockscore>

Bigger Pockets:

<http://clickmetertracking.com/biggerpockets-scams>

Scammed property manager story:

<http://clickmetertracking.com/huffpost-landlord>

Rental fraud case:

<http://clickmetertracking.com/landlordtalking-screening>

Security deposit legalities:

<http://clickmetertracking.com/masslegalhelp-housing>

Avoid the Free Rent Scam:

<https://masslandlords.net/wpoa/past-meetings/avoiding-the-free-rent-trick/>

Free Rent Trick background:

<https://masslandlords.net/update-fight-stop-free-rent-trick-massachusetts/>

Use and Occupancy survey:

<https://masslandlords.net/landlords-take-the-use-and-occupancy-motion-survey/>

Certification: <https://masslandlords.net/certification/>

### Water

billed in	cu ft
previous reading	5876
current reading	6043
usage	167
rate (\$/cu ft)	0.111
amount	18.54

### ARTICLE YOU MAY HAVE MISSED

## Massachusetts Rent Invoice, Water Bill Released

In November 2019 MassLandlords released a new Massachusetts rent invoice spreadsheet to calculate and print rent and water bills for residents. The Massachusetts rent invoice will facilitate prorated move-in's and move-out's, monthly billing of utilities (especially water), charging late fees, and splitting bills among joint and severally signed roommates. This rent invoice requires knowledge of Excel. It uses Excel default conventions, where orange colored boxes are "inputs". The sheet is not "locked" (Excel terminology) so it may be either customized or broken; members should take care when editing. [ML](#)

The full article can be found at: [MassLandlords.net/blog](https://masslandlords.net/blog)



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# Zoning: Part 3: THE HOUSING CHOICE BILL, AND A COUNTERPROPOSAL

By Peter Vickery, Esq., Legislative Affairs Counsel

## A review of the Housing Choice Bill, a counterproposal to add density near transit, and general commentary on the history of zoning and land use.

This third installment of the series on zoning takes a look at Governor Charlie Baker's proposal to remove the two-thirds supermajority requirement for zoning changes, and at one counterproposal from some of the bill's opponents. Let's begin by considering why some changes are in order.

### ZONING: FOR WHEN WE AREN'T MAKING MORE LAND

Massachusetts needs more houses, approximately 17,000 per year in and around Greater Boston alone, according to the Metropolitan Area Planning Council. Despite the widespread agreement about the need for new homes, developers are struggling to find space to build them.

Once upon a time when Boston ran out of land, it just made more, like the Dutch with their polders.

In the 1800s, Bostonians dug away at a number of hills (including Beacon Hill, which used to be 60 feet higher than it is today) and poured the resulting fill into bodies of water, e.g. Back Bay. Yes, back in the day Back Bay was a bay.

The results were dramatic, as you can see from National Geographic's online map that shows how Boston grew from a mere 800 acres on the Shawmut Peninsula to its current size of closer to 57,000 acres.

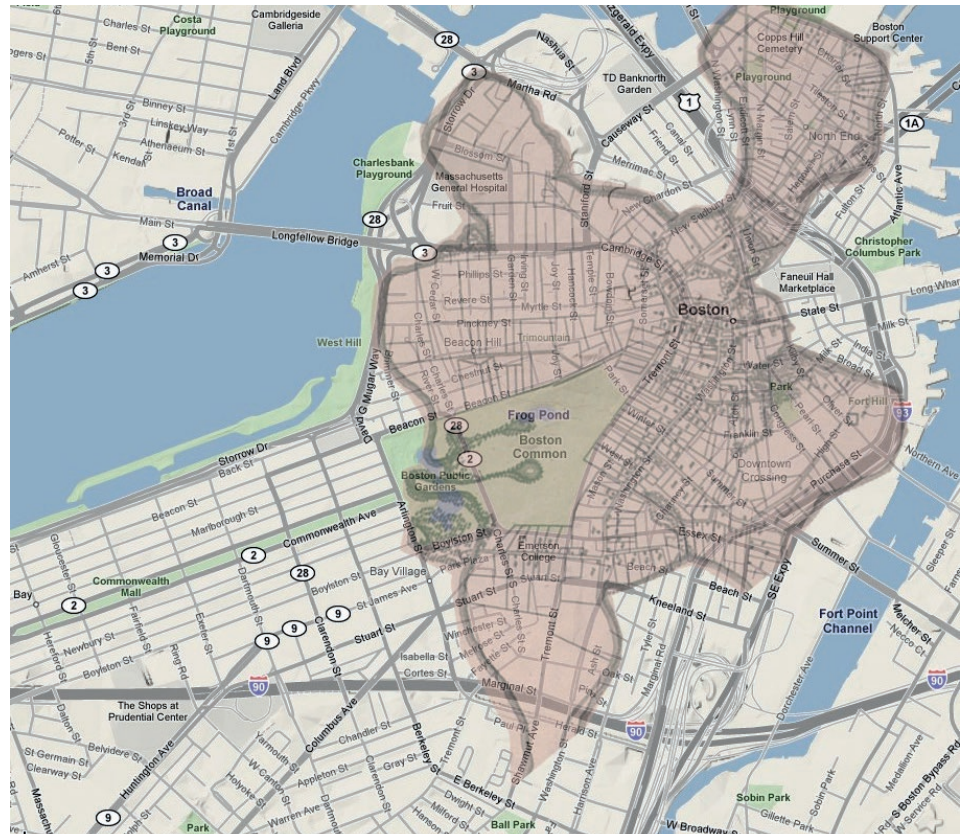
Fortunately, flattening hills and dumping them into the sea has fallen out of favor among Bay State policymakers. In fact, the Attorney General takes a

dim view of such activities, as C&G Land Reclamation and Renewable Energy Solutions, LLC, learned after they chose the wetlands area across the street from an elementary school in Salisbury as the site for depositing concrete rubble and other assorted items of solid waste.

Land reclamation is off the table for all but those with the time, money, and other resources to obtain the necessary wetland permits from the Department of Environmental Protection (applicants should not hold their breath). The more practical and environmentally sustainable

approach is to make better use of the buildable land already available. But in order to change the way we use land, we need to change our zoning laws.

In February 2019 Governor Charlie Baker re-filed his bill titled an Act to Promote Housing Choices (191-H.3507-HD.4036), which would amend the Zoning Act (chapter 40A) by abolishing the two-thirds supermajority requirement for certain zoning changes for communities other than Boston. Readers of previous articles in this series will recall that Boston has its own zoning statute, 1956 Mass.



Map showing original extent of Boston, and land added by fill and annexation.

BostonGeology.com: <http://bostongeology.com/boston/casestudies/fillingbackbay/fillingbackbay.htm>

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Acts, chapter 655. Re-filing was necessary because in the previous session the bill's precursor expired in committee.

## **ZONING STICKS AND CARROTS**

Zoning, by its very nature, restricts housing choices. It allows housing in certain areas but prohibits it in others. Each of the 351 municipalities in the Commonwealth has its own zoning bylaw or ordinance with little in the way of mandatory regional planning, the most well-known exception being the Cape Cod Commission.

There are some express limits on what municipalities can use their zoning to achieve. For example, Section 3 of Chapter 40A lists the uses that a municipality may not prohibit or regulate unreasonably (e.g. solar energy systems and group-homes for people with disabilities). The officer of government responsible for policing this aspect of the Zoning Act is the Attorney General, to whose Municipal Law Unit towns and cities have to submit zoning amendments, including changes to their zoning maps.

In addition to the clear prohibitions, in communities where less than 10% of the housing stock meets the statutory definition of "affordable" Chapter 40B allows developers of affordable housing to proceed despite local opposition. That said, there are certain safe-harbor provisions that allow communities to deny permits even if they are below the 10% level.

While Chapter 40A contains some simple thou-shalt-nots, and Chapter 40B amounts to a more nuanced thou-shalt-if, other statutes try to nudge municipalities in the direction that the Legislature has deemed to be right. For example, Chapter 40R (titled Smart Growth Zoning and Housing Production) provides financial incentives for mixed use and affordable housing. Similarly, Chapter 40T lets the Department of Housing and Community Development step in to help a community preserve its publicly-assisted affordable housing by giving the Department the right of first refusal to purchase properties when the owners want to sell.

Even with this combination of laws, local control over zoning still impedes the scale of house-building that Beacon Hill sees as essential for the Commonwealth to meet anticipated housing needs. Encouraging communities to change their zoning so as to accommodate statewide priorities has proved so hard that some politicians think the situation calls for more drastic measures: less honey, more vinegar.

## **MULTIFAMILY HOUSING NEAR TRANSIT**

Among those opposing the Governor's legislation is Representative Mike Connolly of Cambridge (a member of the Joint Committee on Housing). Representative Connolly wrote that the Legislature should wait on Baker's bill until it becomes part of a bigger package that includes "smart, regional production strategies, stronger tenant protections and anti-displacement measures, and additional tools for raising revenue to support affordability and end homelessness."

Newsletter readers will be familiar with the meaning of the terms “stronger tenant protections,” “anti-displacement measures,” and “additional tools for raising revenue.” These proposals lack landlord input or agreement.

Representative Connolly filed a bill titled “an Act requiring zoning for multifamily housing near transit” (191-H.3931-HD.1118). It takes aim at cities and towns with buildable land situated within one mile of “a commuter rail station, subway station, ferry terminal or bus station” that fail to “provide for multi-family residential development.”

If enacted, the bill would require the Governor to “withhold from such city or town public funds from any state agency” and require the Massachusetts Bay Transportation Authority (MBTA) to punish the community with a surcharge. Representative Connolly and the bill’s co-sponsors (there are more than a dozen of them) want communities to adapt their zoning codes to encourage housing within walking distance of public transportation. Those that fail to comply will receive no state aid of any kind, apparently, until they are embargoed, sanctioned, and stigmatized into submission. The policy rationale seems simple enough: What works against Syria and North Korea should work equally well against Scituate and North Andover.

On the question of the Governor’s legal duty to turn off the financial faucet, the language is contradictory. Subsection (a) gives the Governor an unambiguous

mandate (“the governor shall withhold” funds) whereas subsection (b) grants him discretion (“in considering whether to withhold funds”). Then there is the matter of separation of powers. Questions come before the courts from time to time about if and when a governor may impound monies already appropriated by the Legislature, and the extent to which the Legislature may compel the Governor to spend. It is a gray area. Beyond dispute, however, is the draconian nature of 191-H.3931-HD.1118 in completely cutting off funds to communities for their inadequate zoning. (Such a harsh measure did not even befall Nantucket when it unilaterally surrendered to the British—effectively seceding from the Commonwealth and Union—during the War of 1812.)

Current law would not impose this level of punishment on a city that first dedicated half its school budget to sending the mayor, council, and their friends and relations on a Caribbean cruise, and second blew the other half at Foxwoods. The proponents of 191-H.3931-HD.1118 must *really* want multi-family housing near public transit.

Even putting to one side the inartful drafting, dubious constitutionality, and sledgehammer/nut issues, we are still left with a question of enforcement. What would happen if the Governor declined to lay financial siege to a recalcitrant community? Who would have standing to rush to court for an injunction prohibiting him from signing the checks? The bill does not say.

Nor does it seem to account for the existence of Central and Western Massachusetts. For example, if the bus company in Hinsdale, Berkshire County, moves its bus station slightly to the east, closer neighboring Peru (population 847), will Peru then suffer a surcharge at the hands of the MBTA? If so, how exactly will the MBTA, whose service area goes no further west than Concord (some miles short of Berkshire County) levy the fine? These are important questions that, in all likelihood, no one will ever have to answer. The bill is unlikely to pass in any form.

A more realistic bill would be a welcome addition to the repertoire of responses to the Bay State’s pressing need for more housing, both market-rate and affordable. Siting multi-family homes close to public transit in walkable neighborhoods makes sense, and zoning rules should not stand in the way.

### ACT TO PROMOTE HOUSING CHOICES

What, then, of Governor Baker’s re-filed proposal to change the way communities amend their zoning codes?

One Blue Mass Group (clearly not a fan) described it as “a pure supply-side scam, designed to line the pockets of land speculators, property developers, and realtors, which will primarily result in more luxury condos for the super-rich to invest in.”

The bill does indeed, as Representative Connolly points out in his blog, rely on the “single strategy” of replacing the

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requirement for a two-thirds supermajority with a simple majority. Rather than an advantage, the bill's simplicity strikes its progressive opponents as problematic. Judging by their comments, the game-plan seems to be to block Baker's efforts unless and until they are combined with the above-mentioned "stronger tenant protections," "anti-displacement measures," and "additional tools for raising revenue" or, in plain English, taxpayer-funded lawyers for tenants, an end to no-fault eviction, and higher taxes.

As the current session ends without the Legislature voting on the Housing Choices proposal, MassLandlords members need to keep a weather eye on Beacon Hill. With no wind in the sails of his bill, Baker may be tempted to tack left to get out of the doldrums. Housing partisanship leaves little chance of bridging the gap toward true consensus. And landfill -- easy though it may have been in a less regulated, less

climate-vulnerable world -- is a solution best left in the past. [ML](#)

#### LINKS

17,000 per year:

<http://clickmetertracking.com/mhp-data>

Polders: <http://clickmetertracking.com/wikipedia-polders>

Number of hills:

<http://clickmetertracking.com/curbed-landfill>

Grew: <http://clickmetertracking.com/nationalgeographic-boston-landfill>

Chose: <http://clickmetertracking.com/mass-dumping>

Wetland permits:

<http://clickmetertracking.com/mass-wetland-permits>

191-H.3507-HD.4036:

<http://clickmetertracking.com/malegislature-191-h3507>

Cape Cod Commission:

<http://clickmetertracking.com/capecodcommission>

Wait on Baker's bill:

<http://clickmetertracking.com/rep mikeconnolly-baker-housing-choice>

191-H.3931-HD.1118:

<http://clickmetertracking.com/malegislature-191-h3931>

Unilaterally surrendered:

<http://clickmetertracking.com/jstor-nantucket-surrendered>

Supply-side scam:

<http://clickmetertracking.com/bluemassgroup-baker-housing>

Problematic:

<http://clickmetertracking.com/wgbh-baker-bill-2019-05>

Unless and until:

<http://clickmetertracking.com/baystatebanner-advocates-baker>



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# NEW PROPOSED SANITARY CODE CHANGES include Fridges, Mold Control

By Kimberly Rau, MassLandlords Writer

## Proposed changes to the state sanitary code could impact landlords across Massachusetts.

Landlords, take note: Changes are coming to 105 CMR 410 the Minimum Standards of Fitness for Human Habitation, e.g., the state sanitary code. These pending revisions follow a round of public commentary this September, and some could have a major impact on rental property owners in Massachusetts. From mold remediation to required kitchen appliances, the Massachusetts Department of Public Health (DPH) has proposed a number of additions to the existing sanitary code.

### KITCHEN APPLIANCES

Under the current sanitary code, landlords are required to provide tenants with a kitchen that includes a countertop, sink (size undetermined) and a “conventional cook top/oven.” Anything else is optional, with the code simply requiring landlords to provide space and proper facilities for a refrigerator of unspecified size.

Following the public comment period, the sanitary code’s verbiage now mandates that landlords provide tenants with a fridge and freezer, for a combined storage area of 11 cubic feet. This is following public comment where people expressed concern that a landlord could install a dorm-sized fridge that would be insufficient for families’ needs. The new sanitary code wording also mandates that the sink provided be of “sufficient size and capacity for washing dishes.” This is relevant to all landlords, as there is no allowance for grandfathering when it comes to changes to the state sanitary code. If changes are



**One proposed change to the state sanitary code would require a sink of sufficient size to wash dishes. Do you need to be able to wash a Thanksgiving roasting pan? How much sink is sufficient?**

passed, rental income property owners would be required to be in compliance immediately.

The new code’s language also prohibits landlords from removing any “optional” equipment until the unit in question has been vacated or a tenancy has been terminated. For example, if the unit is rented with a microwave installed, landlords cannot remove it during the current tenancy without replacing it.

### HEATING AND STOVES

Rental property owners are also required to provide a heating system that is capable of heating every habitable room and every room that has bathing or toilet facilities. Though it does not mandate this be central heating, the code does say that fireplaces, wood or pellet stoves, as well as portable electric space heaters, do not meet sanitary code requirements. This is despite letters urging lawmakers to reconsider.

“Excluding wood and pellet stoves from the definition of ‘a heating system’ will have serious impact on property owners in areas that are out of service range for natural gas,” attorney Peter Vickery wrote

in a letter on behalf of MassLandlords. “Owners who purchased high-efficiency stoves that meet the EPA’s 2015 emission performance and emissions standards would be at a particular disadvantage.”

Vickery went on to say that the new language prohibiting or severely restricting the use of portable space heaters could affect cold-weather repairs.

“[This] would have a serious impact on landlords, who would have no compliant means of maintaining adequate heat during repairs necessitated by a heating-system failure,” he wrote. “Premises that otherwise might have been considered habitable will now be uninhabitable during the winter when it can take considerable time to restore the regular heating system.”

As a reminder, under Massachusetts law, a landlord must make sure the property is habitable at all times. If space heater use is not allowed to consider a rental unit habitable, finding alternate arrangements for tenants during repairs could add to costs considerably.

### MOLD

One of the biggest proposed sanitary code changes that garnered the most public feedback was mold prevention and remediation.

There is not much mention of mold in the state sanitary code as it reads now. In one place, additions to the verbiage would require inspectors to find the source of the problem if they notice “chronic dampness or presence of mold during an inspection.” This section, previously proposed as a “Mold Inspections” section, is now proposed as a “Chronic Dampness Inspections” section.

Chronic dampness is being defined as “the regular and/or periodic appearance of moisture or water, or evidence of such



moisture or water as indicated by the presence of mold or other fungi. It later states that to be habitable, a dwelling unit must be free of said chronic dampness. And while the phrase “chronic dampness” already exists in the current sanitary code, letter writers were still compelled to comment on the proposed additions.

In a joint letter, representatives from Arise for Social Justice, The Mold Action Committee and Western Massachusetts Science for the People commended the DPH for several of its proposed changes, including one that states that chronic dampness, not mold, would render a residence unfit for habitation. This, the letter said, allows for landlords to be more proactive and fix damp conditions before mold can begin to grow. “[This] also protects against health effects from other dampness-associated issues such as allergens from dust mites and cockroaches,” they wrote.

However, the writers criticized the change that stated that environmental test results for mold would not constitute a sanitary code violation.

“High levels of mold can be present even when dampness is not detected,” the letter said, requesting that positive test results for mold be admissible as evidence against a dwelling’s habitability. The writers also requested that the term “chronic dampness” be further specified to include a timeframe after which a one-time water event or instance of acute dampness could be considered chronic.

MassLandlords did not have any commentary on the revisions to this section of the sanitary code in its letter. However, Executive Director Doug Quattrochi did comment for this article, focusing on mold testing.

“DPH are correct to eliminate environmental mold as a per se violation,” he said. “Positive tests for mold are meaningless unless they are higher than mold in the exterior environment and there’s a nexus between that species and the renter’s specific health problems.”

## NOTICE TO ENTER AND INSPECTIONS

Some proposed changes to the sanitary code would require landlords to provide 48 hours of notice before entering the rental unit, except for emergency repairs. MassLandlords has requested additional wording be added to allow for individual agreements between landlords and tenants about access.

“We wish to be clear that it would not be a violation of the code if a renter requests and agrees to have a landlord enter with less than 48 hours’ notice, e.g. immediately or within the hour,” Vickery wrote in the same letter on behalf of MassLandlords. He proposed the following verbiage be added in brackets: “An owner shall provide at least 48 hours’ notice to the occupant, except for emergency repairs for which no notice is required [and except for mutually agreed-upon appointments which may occur as agreed as soon as immediately].” This does not appear in any edits to the sanitary code so far.


There are also changes to the wording surrounding inspections and remediation of violations. Changes throughout this section of the state sanitary code allow for anonymous requests for inspection and further specify how long a landlord has to rectify problems. In section 410.830 (proposed renumbering to 410.640), major violations still require landlords/ rental property owners to make a good faith effort to correct them within 24 hours, but timelines surrounding smaller issues have gotten more specific. For example, the Board of Health has seven calendar days following the inspection to issue the owner an order; the order can require the owner make a good-faith effort to correct the problem within 14 calendar days.

A full list of these violations can be found in section (2) of this ordinance, but one example that falls within this timeline would be failure to provide (or keep operable) kitchen sinks,

refrigerators, stoves, washbasins, sinks, showers, or bathtubs, along with the electrical, plumbing, or heating systems. Section (3) states that the owner has 30 calendar days to rectify any issue not listed in 105 CMR 410.640(A)(1) or (2). These timeframes cannot be extended without a hearing.

## TESTIMONY FILED FOR PROPOSED SANITARY CODE CHANGES

As mentioned previously, MassLandlords has filed testimony in response to the Department of Public Health’s proposed changes for 105 CMR 410. In addition to the comments included in this article, the feedback thanks the DPH for reading our input in a previous round of comments in 2017, and reiterates points that we feel were missed or have newly arisen. You can find a copy of the full letter here (link goes to the general public commentary page, our letter is under MassLandlords).

The DPH has the option of finalizing the changes as they stand now, opening a third round of public commentary, or making further changes to the sanitary code. MassLandlords will continue to follow this issue and provide updates when the changes are finalized. For additional reading, please see our article on how some of the state sanitary code’s proposed changes will affect homeless shelters throughout the state. 

## LINKS:

Additions to the existing sanitary code:

<http://clickmetertracking.com/mass-gov-sanitary-code-amendments-2019>

No allowance for grandfathering:

<http://clickmetertracking.com/masshousing-grandfathering>

A landlord must make sure a property is habitable:

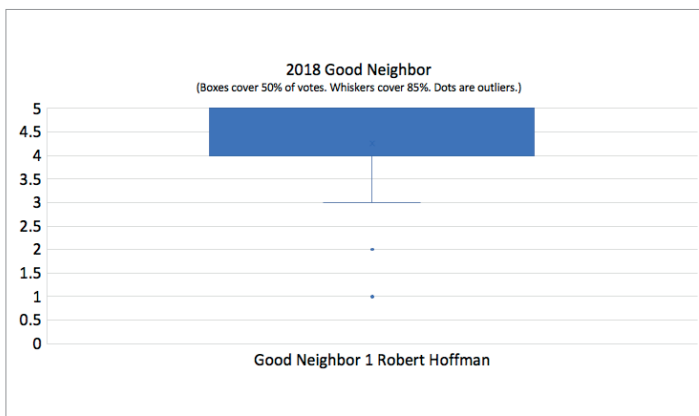
<http://clickmetertracking.com/massgov-habitable>

Public commentary:

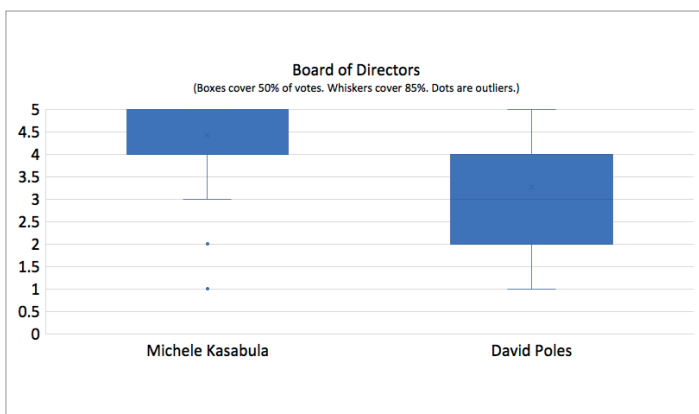
<http://clickmetertracking.com/massgov-commentary>

# 2019 MassLandlords Annual Election Results: **KASABULA, HOFFMAN**

The 2019 election results include Michele Kasabula on the Board of Directors and Chief Deputy Sheriff of Hampden County Robert Hoffman as Good Neighbor 2019.



Chief Deputy Sheriff of Hampden County Robert “Bobby” Hoffman was the only nominee to meet the requirements of the Good Neighbor Award, but score voting shows that he was also a welcome and highly approved of nominee and meriting recognition.




MassLandlords uses score voting, in which members rate each candidate on a scale of “zero” strongly opposed to “five” strongly in favor. A score above 2.5 to 3 is favorable. The boxes represent the middle 50% of member votes. The final decision is made on the basis of total score, with average score only used as tiebreaker.

In December, MassLandlords members voted in our annual business meeting on the next director to succeed Joyce Nierodzinski on our five member volunteer board. We met our quorum target of 339, with 368 members participating either online or at a physical meeting, including abstentions.

Michele Kasabula’s total score was 690, average 4.42. David Pole’s total score was 454, average 3.27. Michele Kasabula has been elected to the board.

Please join us in thanking both David and Michele for their willingness to put themselves out there and serve. In an organization of 1,600, every bit of public spirit and volunteering adds up to an increasingly impressive state-wide organization, and a positive force for the creation of better rental housing in Massachusetts. There are volunteer roles at the state and local level.

Please also join us in thanking Chief Deputy Sheriff of Hampden County Robert “Bobby” Hoffman, whose volunteerism at a Saturday crash course and an evening event, as well as his deep empathy in a very difficult line of work, earned him recognition as our 2019 Good Neighbor. 



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# WATER SUBMETERING: Costs, Benefits and Legal Compliance

By Eric Weld, MassLandlords, Inc.

**For many landlords, water submetering their multi-unit rentals makes sense despite the relatively stringent Massachusetts law. For some landlords in Massachusetts, water submetering might seem like a logical solution—especially those who have suffered through or heard about nightmare tenants who run up massive water bills or ignore major leaks.**

In this all-too-common scenario, the water bill arrives and for some reason, without warning, you owe thousands of dollars. Without submeters monitoring each of your renters' water usage, you have no idea which tenant is running up the bill, or even if it's a collective problem among more than a single renter.

If you had installed water submeters you would quickly be able to check the

meters and determine which unit used all that water, then take action.

Water submetering is the practice of installing water usage meters inline or at point-of-use for each rental in a multi-unit building behind the city's (or water company's) main water meter. It allows landlords to monitor the water usage of individual rental units in order to curtail waste and over-use, and in some cases—as the law allows—to charge renters individually for their water usage.

Utility submetering has been around since the 1920s but was not widespread until the energy crisis in the mid-1970s, which prompted an increase in submetering for gas and electric usage. Water submetering began its increase nationally in the mid-1990s when water and wastewater prices started rising. It has become standard practice to install submeters for many newly constructed multi-unit buildings.

## DOES IT MAKE SENSE?

There is no shortage of anecdotes among landlords about surprise multi-thousand dollar water bills and sudden exorbitant increases in usage.

But even aside from extreme scenarios, water submetering may make sense for landlords just seeking to improve efficiency, reduce water usage, and possibly pass on water charges directly to their tenants instead of building an estimated charge into the rental amount (or simply paying for tenants' water). Tenants are more likely to self-monitor and reduce water usage when they know their landlord will see it, and certainly if they are paying for it themselves. Tenants are also more likely to report leaks under those circumstances—thus avoiding nightmare scenarios.

According to National Exemption Service (NES), a national submetering contractor, installing water submeters typically results in a reduction in water use of between 15 and 30 percent.

"Once tenants know they will potentially have to pay for the water, they become more cautious not to waste it," said Harry Paul-Emile, a landlord in Framingham who installed water submeters for his rentals about 10 years ago when he noticed his water bill continually increasing without knowing why. "When I found out that I could separate each apartment, I jumped on the opportunity. I have not seen any craziness in terms of water usage since. For me it was worth it because it raises the level of awareness."

For tenants' part, too, some appreciate the transparency of seeing a monthly bill and paying for their water usage directly.

## PRICE RANGE

While installing water submeters can potentially save landlords thousands of dollars, it does require an upfront investment that can be substantial. First, there's the purchase of submeter devices. Quality submeters such as those made by Neptune, a popular brand, which are made of brass and contain intricate mechanical workings, can run north of \$200 each. (Stainless steel meters are available for less but are not widely recommended by plumbers because they don't typically last as long.)

Cost is also determined by the technology included with the meter. There is a range of reading options, from manual on-sight readings to smart meters with wireless capability that can send online readings, provide analytics and optimization.



A variety of water submeters are available, including wireless devices that can deliver data online.



Add in the cost of conservation measures such as buying and installing low-flow water fixtures in each rental, required by law since 1994. (See related, *Water Submetering: Requirements and Step-by-Step Instructions*, for specifics.)

Then there are plumbers' fees, which, depending on the configuration of your rental property could run into the multi-thousands to run new plumbing to each unit. Consider, for example, the typical three-decker, ubiquitous throughout Worcester and Suffolk Counties. Cold water is usually supplied to each unit via one vertical supply line. Accessing the plumbing in order to run dedicated water lines to each unit could require costly renovation to open up walls, followed by plaster or drywall replacement and repainting.

By the time you spend up to \$12,000 to submeter a triple-decker, with a typical water bill running about \$350 per quarter, your payback for all submetering costs could take more than eight years.

For such scenarios, water submetering is not an easy call even if you include a few surprise thousand-dollar water bills here and there.

### NOT ONLY ABOUT MONEY

Beyond the finances, landlords also must consider the added time they will now have to allow for taking readings. That means physically checking each meter you've installed once a month, or at least installing a camera pointed at the meter for remote readings. If that's your setup, make sure to place it in adequate lighting for camera visibility, or install a timed lamp, too.

Smart meters that are able to send usage data to your phone or other Wi-Fi device can be a big time saver. But no matter what data reporting system you use, you'll spend time recording meter readings, calculating costs and writing and delivering invoices to tenants.

When doing so, you'll need to consider measurement units. The city's meter might measure in 100 cubic foot units, for example, while the submeter you purchased may measure in gallons. In order to bill accurately by the month, you will need to calculate the equivalent

## Water Submetering: Requirements and Step-by-Step Instructions

*According to M.G.L. Ch. 186, Section 22, Water Utility Submetering and 105 CMR 410.354*

### IN MASSACHUSETTS, THE LANDLORD PAYS FOR WATER AND SEWER UNLESS:

- Water is submetered for the premises under the renter's exclusive control;
- Water conservation devices are on all showers, faucets, and toilets;
- Water submetering has been agreed to in writing;
- You have filed with the local municipality, under pains and penalties of perjury, that you're in compliance, and this has been attested to by a licensed plumber;
- You provide a copy of the submetering filing to the occupants, AND
- You provide access for the renter to inspect the submeter.

### REQUIREMENTS

#### Low flow devices

- Low-flow showerhead max 2.5 gpm (gallons per minute)
- Low-flow faucets max 2.2 gpm (gallons per minute)
- Ultra-low-flush toilet max 1.6 gpf (gallons per flush)

#### Submetering equipment

- Must be installed by a licensed plumber
- Must be in compliance with the standards of accuracy and testing referenced in subsection (b)
- Must be at the expense of the landlord
- Submetered units must be in compliance with the board of health

#### Qualified tenancies

- Upon the commencement of a new tenancy in such dwelling unit and only if:
  - (1) the dwelling unit is being occupied for the first time; or
  - (2) the previous tenant was NOT evicted without cause

- (3) the new tenant was NOT relocated involuntarily from another dwelling unit in the same building or building complex;
- Tenant has signed a written rental with the details of the water submetering and billing arrangement between the landlord and the tenant, billed according to subsection (f)
  - (s) No public housing

#### Other

- (l) A landlord may not shut off or refuse water service to a tenant on the basis that the tenant has not paid a separately assessed submetered water usage charge.
- (o) Landlord must rebate tenant if there is a plumbing leak

### STEP-BY-STEP INSTRUCTIONS

1. Contact multiple plumbers to get quotes.
2. Indicate that you know and are prepared to pay for the cost (because most plumbers will think you're crazy).
3. Discuss options for retrofitting as cost effectively as possible (see above).
4. Have the plumber pull permits for the work.
5. Contact the city to get the form they want you to complete (usually a state form but may have been modified).
6. Have the plumber fill out the form.
7. You both sign it.
8. Mail it to the city/town.
9. Learn to use the monthly rent invoice/water bill form.
10. Modify your rental agreement to contain a submetering clause and a space to write the meter reading into it at lease start.
11. Incorporate the municipal submetering form in the agreement

**MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH**  
**SUBMETERING OF WATER AND SEWER CERTIFICATION FORM**

\*In accordance with M.G.L. c. 186, § 22 and 105 CMR 410.000: Minimum Standards of Fitness for Human Habitation (State Sanitary Code Chapter 1D), the following dwelling unit is eligible for the imposition of a charge for water and/or sewer service.

<b>PROPERTY INFORMATION</b>	
Address:	Unit #
City/Town:	MA
# Of units in bldg:	
Zip Code:	
<b>EQUIPMENT INSTALLATION INFORMATION</b>	
105 CMR 410.000 requires the installation of water conservation devices prior to a dwelling unit becoming eligible for the imposition on tenants of a charge for water and/or sewer. The devices must meet the following specifications:	
Showerheads with maximum flow rate not to exceed	2 1/8 gallons per minute (2.5 gpm)
Faucets with maximum flow rate not to exceed	2 3/8 gallons per minute (2.2 gpm)
Ultra-low flush water closets (toilets) not to exceed	1 6/8 gallons per flush (1.6 gpf)
The submetering equipment used to measure the quantity of water used for each dwelling unit and common area must meet the standards of accuracy and testing of the American Water Works Association or similar accredited association.	
Licensed Plumber Certification	Model #
Manufacturer	Date
License #	
Compliance with accepted plumbing standards.	

**Massachusetts landlords must submit a completed form to the local health department in order to install submeters for the purpose of charging tenants for water usage and/or sewer service.**

usages between these different measuring units and bill accordingly.

MassLandlords in November made available to members a customizable rent invoice including a section for water billing for submetered units.

The good news for landlords who would like to submeter but don't have the time or inclination for setting it up is that there are numerous outsourcing options in today's market—contractors that specialize in submetering and can take care of every aspect of the job, from installation to reading and billing. Such service, of course, comes at a cost somewhere above the DIY route.

## WATER SUBMETERING LAW

Still, cost aside, the bigger obstacle to installing water submeters for many landlords in Massachusetts is the state law. Utility submetering laws vary widely from state to state, and more than half of all U.S. states have no laws regulating submetering. In comparison with most other states, the Massachusetts law (see M.G.L. c. 186, §§ 22) is a relatively stringent set of regulations.

Massachusetts landlords must meet several criteria in order to charge tenants for submetered water usage, including: hiring a licensed plumber to install meters; including the intention of charging tenants for water in the rental lease; using or installing low-flow faucets and showerheads in bathrooms, faucets in kitchens and low-flush toilets; and, importantly, only starting with a new tenant (i.e. charging for water cannot be imposed on an existing tenant mid-lease or otherwise, and a tenant may not be forcefully removed from a rental for the purpose of beginning water billing on a new tenant). Submeters must be installed behind, and be subordinate to, a main meter monitored by the water provider. Landlords may only charge tenants for water used by them and in their units exclusively; no charge may be levied for water usages in common areas shared by more than one tenant. Finally, you must have approval from the local Board of Health for the install.


One bright point is that the Massachusetts legal regulations also apply to wastewater or sewer service

charges. So if sewer is billed as a percentage of submetered water, the cost of sewer can also be sub-billed to renters.

## SUBMETERING SOLUTIONS

For Paul-Emile and others—particularly landlords starting fresh leases in new rentals—the payoff from installing water submeters is worth the costs in materials, time, labor and legal compliance. The transparency, for them and their tenants, of knowing exactly how much water is being used per unit, promotes a better, more trustful tenant-landlord relationship while helping to reduce water waste.

Finally, the tight Massachusetts state law only applies to landlords who want to charge their tenants directly for their water usage. For landlords only interested in monitoring and potentially reducing water usage—without directly charging renters for water—there is nothing in the state law that restricts installation of water submeters at any time.

And by doing so, you might just avoid a nightmare scenario down the road. 

## LINKS

Been around:

<http://clickmetertracking.com/national-exemption-service>

Increase: <http://clickmetertracking.com/smart-energy-submetering-increase>

National Exemption Service:

<http://clickmetertracking.com/national-exemption-service>

Rent invoice: <https://masslandlords.net/forms/monthly-rent-invoice/>

Vary widely:

<http://clickmetertracking.com/ncsi-submetering-state-laws>

Massachusetts law M.G.L. c. 186, §§ 22: <http://clickmetertracking.com/mass-legislature-water-submetering-law>

# REGIONAL



## 2020 JANUARY

Upcoming events  
See details under each region

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6 Southbridge 7:00pm-9:00pm	7	8 Worcester, Waltham 5:30pm - 8:30pm	9 Holyoke, Fitchburg 5:30pm - 8:30pm	10 Webinar 12:00pm - 1:00pm	11
12	13	14 Marlborough 6:30pm-9:00pm	15	16	17 Worcester and Webcast 12:00pm - 3:00pm	18 Crash Course 8:30am - 2:05pm
19	20	21 Cambridge 5:30pm-8:30pm	22	23	24	25
26	27	28	29	30	31	



## 2020 FEBRUARY

Upcoming events  
See details under each region

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 Southbridge 7:00pm-9:00pm	4	5 Waltham 6:00pm - 9:00pm	6	7	8
9	10	11 Marlborough 6:30pm-9:00pm	12 Worcester 5:30pm - 8:30pm	13 Springfield, Fitchburg 5:30pm - 8:30pm	14	15
16	17	18 Cambridge, Pittsfield 5:30pm-8:30pm	19	20	21	22
23	24	25	26	27	28	29



## STATEWIDE

## Webinar: Security Deposits 101

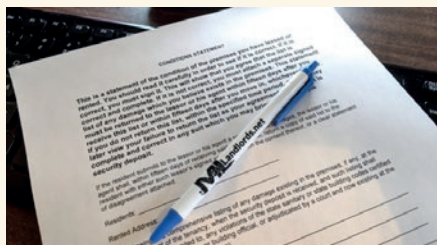
FRI  
01/10

Security deposits are one of the primary liabilities for Massachusetts landlords. If you make a paperwork mistake, you might owe your renter **three times the amount of the deposit** plus attorney's fees. And what a lot of paperwork there is! First receipt, second receipt, annual receipt, conditions statement, withholding receipt, signed under the **pains and penalties of perjury**... Should you even bother?

Well yes, you can **successfully take a security deposit**. The point of this webinar is to show you how!

We'll be reviewing the law, the forms you need, and some concrete examples where landlords have made mistakes and paid for renter damage themselves.

This presentation will be given by Attorney Peter Vickery, MassLandlords Legislative Affairs Counsel and partner at Bobrowski and Vickery, LLC.



You'll be ready to take a fully compliant security deposit after this webinar



live from your home or office. See below for streaming details.

This special event is a **great opportunity** to learn from Housing Court staff, ask procedural questions in a safe space about how you run your business, and amend your practice before it becomes an issue. Reminder: we will not be giving out legal advice. Questions must be framed in a generic way, and must pertain to court procedure only.

This event will be live streamed free. Due to the cost of video storage and hosting, recordings after the fact will be made available only to members.

Panelists:

- Chief Justice Timothy Sullivan
- Jorge Ghazal – Administrative Attorney
- Keith Tan – Field Coordinator
- Caroline Quan – Performance analyst
- Ben Adeyinka, Administrative Attorney
- James Sharpe –eCourts Project Coordinator

### Have you seen our Leave Stuff, Take Stuff Table?

Market your business, pick up handouts, give away an old doorknob. Everything goes on our first-come, first-served display table at all our events. *Please* bring business cards, brochures, coupons. And feel free to pick up your own uncollected marketing materials at the end. Everything not claimed end-of-event may be chucked.

## Friday, January 17th (snow date Friday, January 24)

FRI  
01/17

### MEETING AGENDA

12:00pm Sign-in/Networking

This event will draw from Springfield to Boston, Attleboro to Lowell. Please register in advance.

- 12:30pm Opening Remarks by MassLandlords Executive Director Doug Quattrochi
- 12:35pm Housing Court staff on Davis v Comerford, mandatory eFiling and usage of the software, questions and answers.
- 2:30pm Networking or one-on-one questions
- 3:00pm Doors close

### LOCATION

**In Person:** Worcester Law Library  
184 Main St  
Worcester, MA 01608

### GETTING THERE

Downtown Worcester has numerous paid garages and paid on-street parking. The cheapest, most readily available parking is the Worcester Public Library at 3 Salem St, half a mile away (\$3 for three hours, credit card accepted). The closest parking is Court Park at Main St. and Martin Luther King Jr Blvd.

## MassLandlords Thanks Our Property Rights Supporters

Property Rights Supporters make monthly contributions earmarked for policy advocacy.

### OWNERS COOPERATIVE

**\$100 and Up** Rich Merlino, Gray Investment Properties/Allyson Gray Trust. Hilltop Group Holdings. Premier Choice Realty.

### OWNERS CLUB

**\$50 to \$99** Harbor View Realty Trust. Stony Hill Real Estate Services. Arrow Properties, Inc. Spring Park Properties Inc. Foxworth Properties, LLC. Jim O'Brien. Michael Goodman. Slope Properties LLC. Michael Totman. Ted Poppitz. Ross W. Hackerson. Regan Management, LLC. Shamrock Management. Gabriel Garcia. Rossanna Hennessey. Winton Corp. Witman Properties Inc.

### WORKING TOGETHER CLUB

**\$20.25 to \$49** Bob Finch. CHELSEACORPLLC. Dorel Realty LLC. GMC Property Management LLC. Jill Monahan. The Claremont Living LLC. Olson Apartments. E.R. General Improvement & Property Management. Liz O'Connor. Cheryl Popiak. 557 Union Avenue Realty Trust. South Shore Apartments, Wembley LLC. Fairfield Realty Trust. JCCarrig Real Property. Lucille Fink. Royce Fuller. Matthew Maddaleni. Chris Rodwill. StacyJonh Thomas. Lorenzo Whitter.


### WORKING TOGETHER CIRCLE

**Up to \$10** AAMD MGT. Alec Bewsee. Alex Narinsky. AWR & GWR LLC. Broggi R.E. & Property Mgmt Inc. Catherine Jurczyk. CC&L Properties, LLC. Darlene Musto. Dominick Jones. Eastfield Family Trust. Geri Ledoux. Glenn Phillips. JD Powers Property Management LLC. Kee 55, Inc. Agency Account C/O Ercolini. Law Office of Joseph Miele. Margaret Forde. Doug Quattrochi. Michael Travaglini. Real Property Management Associates. Realty Trust. Rob Barrientos. Scott Cossette. Stuart Warner. Topaz Realty Trust. Vitaly Kmelnitsky. Charles Gendron. Jessica Alperin. Heidi Shey. Joann Strub. Kathryn Rivet. Alexandra Schoolcraft. WestMass Apartments LLC. John Siri Homes. Hancock Holdings LLC. Mary Palazzo. Olivier Delaporte. MassBay Group. Anthony Membrino. Corofin Properties. Brandon Lee. Alexa Zaccagnino. Jo Landers. Mike Hempstead. JMG Realty & Investments.

### SPECIAL MENTION

Rental Property Management Services. Banita Burgess.

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](https://MassLandlords.net/property). 

This location is 0.7 miles from the MBTA commuter rail Worcester Union Station, Worcester/Framingham line.

#### WEBINAR DETAILS

<https://zoom.us/j/959812090>

Or iPhone one-tap :

US: +16468769923,,959812090# or  
+14086380968,,959812090#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 876 9923 or +1 408 638 0968  
or +1 669 900 6833

Webinar ID: 959 812 090

International numbers available: <https://zoom.us/u/aezzlVDnur>

#### ACCESSIBILITY

This recently renovated public space is fully handicapped accessible.

#### FOOD

BYO sandwich or order in advance. Purchase of a meal ticket comes with sandwich, drink and cookie. No purchase necessary.

#### PRICING

Open to the public. Membership is not required!

Free without food. Registration is required for in-person attendance.

\$20 Lunch (from a different provider than last year)

This event is operated by MassLandlords staff. Check in with your MassLandlords ID card.

#### BERKSHIRE COUNTY

### Pittsfield: No January Meetings

Our next event will be held Tuesday, February 18th from 6:00p to 9:00p at Zucchini's Restaurant in Pittsfield with Building Inspector, Brian Duval. Bookmark your calendar for this real estate networking event in Central Berkshire County.

### Pittsfield: Brian Duval Building Inspector: Have you registered?

TUE  
02/18

Brian Duval, Building Inspector for the City of Pittsfield, will be talking about landlord obligations for rental properties, including physical maintenance as well as needed registration and paperwork.



Our Events are Held at Zucchini's  
Restaurant in Pittsfield

#### TUESDAY, FEBRUARY 18TH BERKSHIRE COUNTY MEETING AGENDA

6:00pm Networking

Networking draws from Great Barrington, Lee, Lenox, Stockbridge, Pittsfield, Lanesborough, Cheshire, New Ashford, Adams, North Adams, Clarksburg, Williamstown, Florida, Savoy, Hancock, Dalton, Windsor, Hinsdale, Peru, Richmond, Washington, West Stockbridge, Becket, Tyringham, Alford, Otis, Monterey, Sandisfield, New Marlborough, Sheffield, Egremont, and Mount Washington.

6:30pm Dinner, reservation required  
7:00pm Speaker

#### LOCATION

Zucchini's Restaurant (lower level)  
1331 North Street  
Pittsfield, MA 01201

#### PARKING

There is ample free parking behind the restaurant

#### FOOD

Dinner by Zucchini's

#### PRICING

Membership not required! General public can come free for your first time.

- No dinner: just show up
- Dinner, typically around \$22, text Rick at 1-413-822-8852, call 1-413-822-8852, or email [RHABC99@gmail.com](mailto:RHABC99@gmail.com)

This event is operated by volunteers.

#### BOSTON, CAMBRIDGE, SOMERVILLE

### Cambridge Sat 1/18: The MassLandlords Crash Course in Landlording

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



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:
  - o *Every Landlord's Tax Deduction Guide* by NOLO,
  - o *The Good Landlord* by Peter Shapiro,
  - o *Getting to Yes* by Roger Fisher, and/or
  - o *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 coupon for 10% off any MassLandlords annual membership.
- A MassLandlords certificate of completion and permission to use "MassLandlords Crash Course graduate" on your marketing material.

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



**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, JANUARY 18TH, 2019

### AGENDA

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

- 1:10pm – Maintenance, hiring, and operations
- o Keeping the rent roll and expenses
  - o Filing taxes
  - o To manage or not to manage
  - o Tenants as customers
  - o Notifying tenants
  - o Extermination
  - o Monitoring contractors
  - o Lease violations and conflict resolution
  - o Record keeping
- 1:50pm – Overview of books and resources for further education
- 1:55pm – Review of unanswered questions
- 2:05pm – End

## LOCATION

Cambridge Innovation Center  
14th Floor  
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

### 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 Fruit salad
- o Assorted pastries
- o Soda, juice, water

\*Please email [hello@masslandlords.net](mailto:hello@masslandlords.net) if you have any dietary restrictions and need a special meal.

### PRICING

Online:

- o Non-members: \$205
- o Members: \$195 ([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](#)

### Membership.

Please note: this event is run by MassLandlords staff.

## Cambridge: Review of the Sanitary Code (Continuation from November)

Unlike the building code, which is usually inspected only at time of permit

TUE  
01/21

completion, the **state sanitary code** applies in all rentals all the time, and can be inspected at any time. Are your units compliant?

Few units are fully compliant. We'll review the code in **easy-to-understand** detail and help you get a sense of where you may need to make repairs or improvements.

This segment will be presentation-style with MassLandlords staff. We started this content in November, and due to great room engagement, we got only halfway through the code. Whether or not you attended in November, you will find this segment useful. We will review the second half of the code.

We will also review the proposed changes to the code, which is expected to be updated in 2020.



**Your problem or theirs? The state sanitary code holds occupants responsible for some things, and landlords responsible for most everything else**

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

### Have you seen our Leave Stuff, Take Stuff Table?

Market your business, pick up handouts, give away an old doorknob. Everything goes on our first-come, first-served display table at all our events. *Please* bring business cards, brochures, coupons. And feel free to pick up your own uncollected marketing materials at the end. Everything not claimed end-of-night may be chucked.

### "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.

## TUESDAY, JANUARY 21ST

### CAMBRIDGE MEETING AGENDA

5:30pm Sign-in and Networking

Networking draws from Cambridge, Boston, Somerville, Arlington, Belmont, Watertown, and Malden.

6:00pm Buffet Dinner

6:40pm Executive Director Doug Quattrochi with the MassLandlords Business Update

**Member Minutes** – Any member can have the mic for 60 seconds (introduce yourself, ask a question, share words of wisdom, etc.)

7:00pm Review of the State Sanitary Code

8:20pm Networking

9:00pm Doors close

### LOCATION

[Cambridge Innovation Center](#)  
1 Broadway (5th Floor)  
Cambridge, MA 02142

**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.



**ID required** 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 in the 5th floor Venture Cafe.

### ACCESSING FROM THE T

- Exit the Kendall T stop on Main St.
- Cross to the northeast side of Main St. with the Marriott and Chipotle and walk down the street away from Cambridge towards the Longfellow Bridge to Boston.
- Cross through the plaza with the five-foot high metal globe; One Broadway is the building undergoing construction across the street.



### PARKING

Just \$10 at Pilgrim Parking, enter after 4pm, a two-minute walk from One Broadway, [click here for details](#). Be careful, some garages are \$30. Accessible by T (red line Kendall Square) and highway. For additional parking options see [CIC Directions](#).

### FOOD

Buffet, incl. salad and rolls  
Water, sodas  
Cookies

\*Dietary restrictions: purchase an early-bird ticket and email [hello@masslandlords.net](mailto:hello@masslandlords.net), we will accommodate you.

Leftover food is donated to members and/or homeless shelters.

### PRICING

Open to the public. Membership is not required!

Door:

Public: \$24  
Members: \$19

Early-bird, reserve seven days prior by 12pm:

Public: \$22  
Members: \$14

Nametags are printed for early-bird public, early-bird member, and premium members only.

### Extra Credit

- **First time attendees:** Join as a member before leaving the event, your public ticket will be credited toward membership.
- **Members:** Bring a first-time attendee who joins at the event, your membership will be extended by one month free. No limit.

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

This event is operated by MassLandlords staff. Check in with your MassLandlords ID card.

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

This is part of the Boston/Cambridge rental real estate networking and training series.

## Cambridge: Networking and Training Event

TUE  
02/18

Our February meeting will be held Tuesday, February 18th, at One Broadway, Kendall Square, from 5:30pm to 8:30pm. We are working with members to select a topic. Suggestions always welcome at [hello@masslandlords.net](mailto:hello@masslandlords.net). Check [MassLandlords.net/events](https://masslandlords.net/events) for updates.

### 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](mailto:hello@masslandlords.net).

## Landlords Being Opted into Worcester Community Choice Electricity Supply

**Landlord FAQ for Worcester Community Choice electricity changes coming February 2020.**

Landlords (and renters) are being automatically opted into the Worcester Community Choice electricity supply for all meters effective February 2020. The main goal of this program is to move Worcester toward a carbon-neutral infrastructure by doubling the amount of renewable energy consumed compared to current state minimums.

Landlords asked us questions, and we forwarded these to the program. Here is what we've learned (responses are edited email replies from a Sustainability Project Manager for the City Energy and Asset Management Division; any errors are MassLandlords' own).

### Does Worcester Community Choice cost more for landlords than normal electricity?

There are two options, and the default costs less. The default everyone is being opted into is a fixed 11.442 cents per kilowatt-hour, which is currently lower



than the National Grid rates currently being offered for residential meters (for instance, load zone WCMA at 13.166 cents per kilowatt hour). Commercial rates may vary, check your bill.

There is a voluntary 100% renewable option that costs 14.031 cents per kilowatt-hour. This may be more than what you or your renters are currently paying. You will not end up paying more unless you deliberately choose the 100% renewable option.

Pricing is fixed for 34 months from date of launch, through November 2022.

**Is biomass (wood burning) part of the Worcester Community Choice renewable mix? Because that wouldn't make any sense if we're trying to reduce carbon.**

The City of Worcester has not required the supplier to exclude biomass from its mix (in the contract), so in response to your question we first explored if there was an appetite at the City to voluntarily ask the supplier to exclude biomass. We decided yes, and asked them, and are awaiting the response. Two caveats:

1) The ask is voluntary (not a contractual obligation) – though there is a good chance they will conform.

2) The biomass mix [in state-regulated RPS Class I Renewable Generation Units] is very small - about 0.04% of the total renewable generation capacity.

Most of the renewable energy will come from New England wind due to its market dominance currently. Direct Energy will purchase RECs at the end of each year, when they know the total volume of kWh sold, and how many RECs they need to cover their obligation. So we do not know ahead of time the percent of each renewable resource that will be purchased.

**If I want to opt out of Worcester Community Choice for whatever reason, do I have to submit separately for each entity and meter or is there a bulk process based on point of contact/manager?**

Opting out must be done by account, not by meter. If you would like to submit a list of accounts to us rather than opting them out individually, you can do so via email to the customer support email

address ([dpw@worcestermma.gov](mailto:dpw@worcestermma.gov)). We will need the following for each account:

Name on account  
Service address  
National Grid account number  
Subject: Opting out of  
Community Choice

**Are newly opened accounts (e.g., renter accounts) opted into Worcester Community Choice?**

All new accounts on National Grid's Basic Service would be automatically enrolled.

**When a renter account closes and the meter reverts to the owner, does the owner have to do anything or is their previous preference saved?**

If this process generates a new National Grid account number (it normally does), then the account will be eligible for automatic enrollment. Whoever is the correct account holder will receive an opt-out letter just as we have done for this initial setup. Whatever a landlord decides isn't relevant once the renter opens their own account. Renters will make their own choices at time of starting service.

**Worcester Community Choice for Landlords Conclusion**

Overall, Worcester Community Choice is doing the right thing. We are eliminating a component of fossil fuel energy generation in the city. We are ensuring residents don't pay more on their bill. We are providing revenue to local renewable suppliers.

The program was not designed with landlords in mind, so the marketing materials didn't cover these specific FAQ's, but we hope this helps. The recommendation is let your meters be opted in: permit your owner meters to be auto-enrolled now and your renter meters each time they turn over vac

Account Information		Supply Services	
Account Number	00000000000000000000	Supply Rate	\$0.1118
Service Address	123 Main St, Worcester, MA 01602	Delivery Charge	\$0.0000
Account Type	Residential	Total Supply Services	\$0.1118

The rate to compare against the Worcester Community Choice rate is your supply rate, not delivery charges. Supply rates are typically on the second page of a residential bill (circled).

## Worcester: Worcester Grant Programs for Deleading, Rehab; Member Choice

WED  
01/08

### Part I: Worcester Grants for Deleading, Rehab

The City of Worcester has an extensive array of programs available to grant or loan funds for variety of rental housing purposes. This will be a quick run-down of all the programs you should know about if you invest or may invest in Worcester.

The Worcester Housing Now program combines resources from a variety of programs targeting owners and managers of residential rental real estate: Community Development Block Grant (CDBG) Funding, **Lead Abatement Funding**, Affordable Housing Now Loan Fund, **Owner-Occupied Rehabilitation Funding**, Monthly Sanitary/Building Code classes, the Multifamily Rehabilitation and Maintenance Guide, the Housing Development Advisory Committee, and monthly housing topic videos on the City website and YouTube channel.

This part of the presentation will be given by Jim Brooks, Director of Housing Development and Healthy Homes, Executive Office of Economic Development - Housing Development Division, City of Worcester.

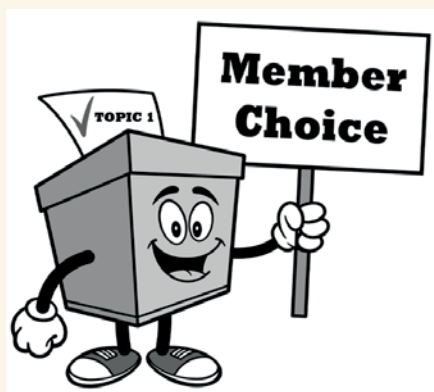
### Part II: Member Choice TBA

We're holding this slot for educational content requested by members. What questions have you had lately? Know someone who would make a great speaker without a sales pitch? Suggest and vote for topics [online](#), or email us [hello@masslandlords.net](mailto:hello@masslandlords.net).

Topic will be decided and announced shortly based on your suggestions.



Worcester Grants for Deleading, Rehab



For this presentation, suggest and vote on ideas

### Have you seen our Leave Stuff, Take Stuff Table?

Market your business, pick up handouts, give away an old doorknob. Everything goes on our first-come, first-served display table at all our events. *Please* bring business cards, brochures, coupons. And feel free to pick up your own uncollected marketing materials at the end. Everything not claimed end-of-event may be chucked.

### “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, JANUARY 8TH

### MEETING AGENDA

5:30pm Sign-in/Networking

Networking draws from Worcester, Shrewsbury, Millbury, Auburn, Leicester, Paxton, Holden, West Boylston, Boylston, Grafton, Upton, Northbridge, Sutton, Oxford, Charlton, Spencer, Oakham, Rutland, Princeton, Clinton, and Sterling.

6:15pm Buffet Dinner by The Vintage Grille

6:40pm MassLandlords Business Update and Member Minutes

**Member Minutes** – Any member can have the mic for 60 seconds (introduce yourself, ask a question, share words of wisdom, etc.)

7:00pm Rich Merlino

Meeting Introduction

7:05pm Worcester Grant Programs

7:30pm Member Choice

9:00pm Doors close

### LOCATION

Worcester Technical High School

1 Skyline Dr

Worcester, MA 01603

### PARKING

There is ample free parking in the first lot you see, in the covered garage to your left, on top of the garage (entrance further down road), and around the back of the school

### FOOD

Cheese and crackers, sodas, water, coffee, decaf  
Hot buffet dinner, incl. salad, rolls  
Cookies, brownies, and/or blondies

\*Dietary restrictions: purchase an early-bird ticket and email [hello@masslandlords.net](mailto:hello@masslandlords.net), we will accommodate you.

### PRICING

Open to the public. Membership is not required!

Door:

Public: \$24

Members: \$19

Early-bird, reserve seven days prior by 12pm:

Public: \$22

Members: \$14

Premium Members: No charge and no need to register

### Extra Credit

- **First time attendees:** Join as a member before leaving the event, your public ticket will be credited toward membership.
- **Members:** Bring a first-time attendee who joins at the event, your membership will be extended by one month free. No limit.

This event is operated by MassLandlords staff. Check in with your MassLandlords ID card.

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

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

Suggest and vote for future meeting topics.

## Worcester: Networking and Training Event

WED  
02/12

Our February event will be held Wednesday February 12 from 5:30p to 8:00p at Fiddler's Green in Worcester. We are working with members to select a topic. Suggestions always welcome at [hello@masslandlords.net](mailto:hello@masslandlords.net). Check [masslandlords.net/events](https://masslandlords.net/events) for updates.

## CHARLES RIVER (GREATER WALTHAM)

## Waltham: Ask the Experts Round Table Discussion

WED  
01/08

We'll be having a round table (really, whole room) discussion about any rental real estate topics. This meeting is a great opportunity for attendees to learn from each other's experiences. Bring your questions about tenant issues, lease agreements and addenda, or best practices.

Attendees are welcome to share their own experiences, warnings, pearls of wisdom, and more. Participation is not required, you're welcome to come and just listen.

This event will be moderated by volunteers and/or staff with significant and compliant rental experience.



We'll be having a whole-room discussion

Have you seen our Charles River volunteer website? Market data available on rent levels for Waltham and surrounding areas. We encourage you to also take the poll on your current views of the rental market. Use the “Contact Us” form to request a login at [crrha.org](http://crrha.org)

Purchase your ticket in just a few clicks!

### “No Sales Pitch” Guarantee

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## WEDNESDAY, JANUARY 8TH

### CHARLES RIVER MEETING AGENDA

6:00pm Sign-in/Networking

Networking draws from Waltham, Newton, Weston, Watertown, Wellesley, Wellesley Hills, Lincoln, Dover, Arlington, Belmont, and the western ends of Cambridge and Boston.

6:10pm Pizza and sodas provided

6:40pm Executive Director Doug Quattrochi with the MassLandlords Business Update

**Member Minutes** – Any member can have the mic for 60 seconds (introduce yourself, ask a question, share words of wisdom, etc.)

7:00pm Ask the Experts

8:20pm Networking

### LOCATION

The La Cava Center at Bentley University, Third Floor  
175 Forest St  
Waltham, MA 02452

### GETTING THERE AND PARKING

Lots of parking available at this hour. For your ease of access, do **not** use the Beaver St entrance. Enter at the Main Entrance on Forest Street and park in Lot 1 or Lot 2. The Conference Center

is signed on the north corner of the main quadrangle. Refer to the image below for lot locations and correct entrance into building.



### FOOD

Pizza, salad  
Soda, Water  
Cookies

Please feel free to bring a dinner that meets your dietary goals/restrictions

### PRICING

Open to the public. Membership is not required!

Door:

Public: \$24  
Members: \$19

Early-bird, reserve seven days prior by 12pm:

Public: \$22  
Members: \$14

Premium Members: No charge and no need to register

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

This event is operated by staff and volunteers together. Check in with your MassLandlords ID card.

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

## Waltham: Networking and Training

WED  
02/05

Our February meeting will be held Wednesday, February 5, at the La Cava Center of Bentley University from 5:30pm to 8:30pm. We're working with

members to select a topic. Suggestions always welcome at [hello@masslandlords.net](mailto:hello@masslandlords.net). Check [MassLandlords.net/events](http://MassLandlords.net/events) for updates.

## GREATER SPRINGFIELD

## Holyoke: Section 8, Member Choice TBA

THU  
01/09

### Part I: Section 8

Rental subsidies like the Housing Choice Voucher Program (Section 8) can be great programs to participate in. But they can be **tough** on the unprepared landlord! Come learn about how Section 8 and programs like it operate. Learn why in Massachusetts (unlike in other states), landlords **cannot refuse to participate** in the program.

We'll be covering the Section 8 process, the legal background on how the program came to be, and how to screen Section 8 applicants without discrimination and without handing the keys to a mystery. We'll also cover inspections, allude to project-based vouchers, and explain what happens if your insurance says, “No Section 8” (hint: your insurance gets in trouble).

This part of the presentation will be given by MassLandlords staff in cooperation with John Fisher, author of the Property Management Manual (the one we sell at the desk) and trainer at Wayfinders, and Melvin Arocho, Compliance Officer at the Massachusetts Commission Against Discrimination. We will also talk about a new program designed to help families attain self-sufficiency and eventually graduate from programs like Section 8.

### Part II: Member Choice TBA

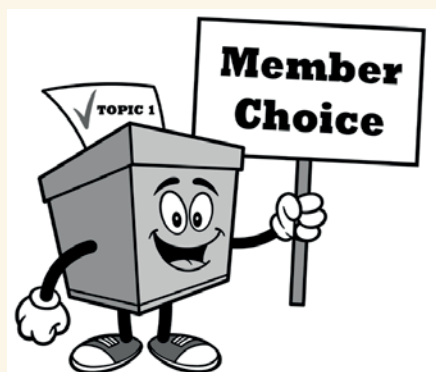
We're holding this slot for educational content requested by members. What questions have you had lately? Know someone who would make a great speaker without a sales pitch? Email us at [hello@masslandlords.net](mailto:hello@masslandlords.net). Tell us which location you want to attend (if it's not already clear from your ticket purchase history.)

Topic will be decided and announced shortly based on your suggestions.





Section 8



You Decide: Tell us which topic you need

Purchase your ticket in just a few clicks!

### “No Sales Pitch” Guarantee

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### THURSDAY, JANUARY 9TH

#### RHAGS MEETING AGENDA

5:30pm Sign-in and Networking

Cash bar  
Networking draws from Springfield, West Springfield, Holyoke, Chicopee, Ludlow, Wilbraham, East Longmeadow, Longmeadow, Agawam, Southwick, Southampton, Easthampton, Northampton, Westhampton, Hadley, South Hadley, Granby, Amherst, Belchertown, Ware, Palmer, Warren, Monson, and Hampden.

6:00pm Buffet dinner  
6:40pm State-wide Business Update and Member Minutes  
7:00pm Local Updates  
7:05pm Legal Update  
7:10pm Section 8  
7:50pm Member Choice  
8:30pm Networking  
9:00pm Doors Close

#### LOCATION

Delaney House  
3 Country Club Rd  
Holyoke, MA 01040

#### FOOD

Hot buffet dinner, incl. salad and rolls  
Cash bar  
Hot Coffee & Tea  
Dessert

\*Dietary restrictions: purchase an early-bird ticket and update the goals/restrictions field in your profile, we will accommodate you.

#### PRICING

Open to the public. Membership is not required!

Door:

Public: \$40  
Members: \$35

Early bird, reserve seven days prior by 12pm:

Public: \$38  
Members: \$30

Nametags are printed for all early-bird tickets and premium members.

#### Extra Credit

- **First time attendees:** Join as a member before leaving the event, your public ticket will be credited toward membership.
- **Members:** Bring a first-time attendee who joins at the event, your membership will be extended by one month free. No limit.

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

This event is operated by MassLandlords staff. Check in with your MassLandlords ID card.

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

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

## Longmeadow: Rental Applications, Member Choice TBA

THU  
02/13

### Part I: Rental Applications

The critical step in a tenant screening process is the rental application. Is it complete? Is it true? And is it enough?

In this segment, we will review the general context in which tenant screening happens, covering **credit, criminal, and housing history**. Then we will review the MassLandlords application box-by-box, with examples completed. Can we verify their prior address? What do their pay stubs look like, or do they have proof of subsidy or other income? Why does it say “etc.” under pets? Finally, we’ll give guidance on how to communicate acceptance or rejection, and why **ghosting** an applicant may come back to haunt you.

Attendees will leave with a clear understanding of how to use the MassLandlords rental application, how to verify information presented, and how to rent knowing your new customers are likely to succeed.

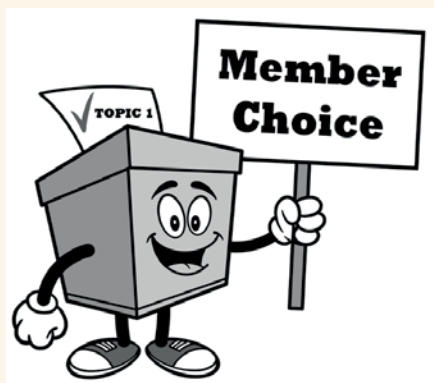
### Part II: Member Choice TBA

We’re holding this slot for educational content requested by members. What questions have you had lately? Know someone who would make a great speaker without a sales pitch? Email us at [hello@masslandlords.net](mailto:hello@masslandlords.net). Tell us which location you want to attend (if it’s not already clear from your ticket purchase history.)

Topic will be decided and announced shortly based on your suggestions.



Rental applications turn every landlord into a detective



You Decide: Tell us which topic you need

Purchase your ticket in just a few clicks!

### “No Sales Pitch” Guarantee

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### THURSDAY, FEBRUARY 13TH

#### RHAGS MEETING AGENDA

5:30pm Sign-in and Networking

Cash bar  
Networking draws from  
Springfield, West Springfield,  
Holyoke, Chicopee, Ludlow,

Wilbraham, East Longmeadow,  
Longmeadow, Agawam,  
Southwick, Southampton,  
Easthampton, Northampton,  
Westhampton, Hadley, South  
Hadley, Granby, Amherst,  
Belchertown, Ware, Palmer,  
Warren, Monson, and Hampden.

6:00pm Buffet dinner  
6:40pm State-wide Business Update  
and Member Minutes  
7:00pm Local Updates  
7:05pm Legal Update  
7:10pm Rental Applications  
7:50pm Member Choice  
8:30pm Networking  
9:00pm Doors Close

#### LOCATION

Twin Hills Country Club  
700 Wolf Swamp Rd  
Longmeadow, MA 01106

#### FOOD

Hot buffet dinner, incl. salad and rolls  
Cash bar  
Hot Coffee & Tea  
Dessert

\*Dietary restrictions: purchase an early-bird ticket and update the goals/restrictions field in your profile, we will accommodate you.

#### PRICING

Open to the public. Membership is not required!

Door:

Public: \$40  
Members: \$35

Early bird, reserve seven days prior by 12pm:

Public: \$38  
Members: \$30

Nametags are printed for all early-bird tickets and premium members.

#### Extra Credit

- **First time attendees:** Join as a member before leaving the event, your public ticket will be credited toward membership.
- **Members:** Bring a first-time attendee who joins at the event, your membership will be extended by one month free. No limit.

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

This event is operated by MassLandlords staff. Check in with your MassLandlords ID card.

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

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

### METROWEST

## Marlborough: Ask the Experts Round Table Discussion

TUE  
01/14

We'll be having a round table (really, whole room) discussion about any rental real estate topics. This meeting is a great opportunity for attendees to learn from each other's experiences. Bring your questions about tenant issues, lease agreements and addenda, or best practices.

Attendees are welcome to share their own experiences, warnings, pearls of wisdom, and more. Participation is not required, you're welcome to come and just listen.

This event will be moderated by volunteers and/or staff with significant and compliant rental experience.



We'll be having a whole-room discussion

### TUESDAY, JANUARY 14TH

#### METROWEST PROPERTY OWNERS ASSOCIATION MEETING AGENDA

6:30pm Registration, socializing and dinner  
7:00pm MassLandlords Business Update  
7:15pm Program starts

#### LOCATION

Marlborough Fish and Game  
1 Muddy Ln  
Marlborough, MA 01752

**FOOD**

Hot buffet  
Beverages  
Cookies

**Pricing & RSVP**

Open to the public! Membership is not required. **\*MWPOA Members\***  
**RSVP by emailing your full name to Laurel newlakeview@yahoo.com**

- **MassLandlords.net/MWPOA Members** pay \$100 annual MWPOA dues and each meeting is free, just RSVP!
- MassLandlords.net Members and general public: \$5

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

This event is operated by volunteers.

## Marlborough: Lead Paint and Deleading with Mary Chabot

TUE  
02/11

Deleading is easier than ever, and more important than ever. **Changes in 2017** reduced the cost to landlords, but also changed the legal definition of lead poisoning, increasing our liability.

This segment will give the **basics of lead remediation**: why lead is hazardous, where we find lead, and how to eliminate the hazard. We will review deleading methods, letters of interim control, and certificates of deleading compliance.

This is **not a moderate risk deleader training**. Attendees will learn about the DIY deleading training that is available (typically, 12 hours), and will also learn about the costs and benefits of hiring professionals. Lastly, because this is a landlording event, we will talk about deleading with residents in the unit, how to navigate the arrival of children, and how to ensure both you and your renters stay happy and healthy.



Learn about Deleading

**TUESDAY, FEBRUARY 11TH**

### METROWEST PROPERTY OWNERS ASSOCIATION MEETING AGENDA

6:30pm Registration, socializing and dinner  
7:00pm MassLandlords Business Update  
7:15pm Program starts

**LOCATION**

Marlborough Fish and Game  
1 Muddy Ln  
Marlborough, MA 01752

**FOOD**

Hot buffet  
Beverages  
Cookies

**PRICING & RSVP**

Open to the public! Membership is not required. **\*MWPOA Members\***  
**RSVP by emailing your full name to Laurel newlakeview@yahoo.com**

- **MassLandlords.net/MWPOA Members** pay \$100 annual MWPOA dues and each meeting is free, just RSVP!
- MassLandlords.net Members and general public: \$5

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

This event is operated by volunteers.

**NORTHERN WORCESTER COUNTY**

## Fitchburg: Saving Money on Multi-Family Insurance

THU  
01/09

January's guest speaker will be Saving Money on Multi-Family Insurance with special guest Wayne Tolley from the Hasdel Insurance Agency.

Come down on Thursday evening to find out what to look for in an effective insurance policy! Learn some of the tactics you can initiate to protect your property, and the rest of the residents that live there.

**THURSDAY, JANUARY 9TH**

### NWCLA MEETING AGENDA

Visit [nwcla.com](http://nwcla.com) for any last-minute updates or changes.

6:45pm Dinner and Networking

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, Winchendon, Templeton, and Hubbardston.

7:00pm Christmas Social

**LOCATION**

Montachusett Regional Vocational Technical School (Monty Tech)  
1050 Westminster Street  
Fitchburg, MA 01420

**PARKING**

There is ample free parking beside the school. **Do not** park along the fence where the busses park. Do not park in any of the handicap spots unless you have the proper handicap parking sticker.

**FOOD**

Dinner by Happy Jack's Cantina Grille from N. Main St. in Leominster.

**PRICING**

Membership not required!  
Open to the public.

Early-bird ends seven days prior @ 12pm:

- o Public and Members other than NWCLA: \$15
- o MassLandlords.net/NWCLA members: pay annual dues, then free

After Early bird or at the door:

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

This event is operated by volunteers.



## Fitchburg: Networking and Topic TBD

THU  
02/13

Our February event will be held Thursday, February 13th, from 5:30p to 8:30p at Monty Tech in Fitchburg. Bookmark your calendar for this premier real estate networking event in Northern Worcester County. Check back later for speakers and topics.

### SOUTHERN WORCESTER COUNTY

## Southbridge: Christmas Party

MON  
01/06

Our Christmas party and pot luck has been rescheduled to January 6th. All members are welcome!



The SWCLA Meets at the Southbridge Community Center fka Casaubon Senior Center

### MONDAY, JANUARY 6TH

#### SWCLA MEETING AGENDA

6:00p Pot Luck

#### LOCATION

Southbridge Community Center (aka Casaubon Senior Center)  
153 Chestnut St.  
Southbridge, MA 01550

#### FOOD

Bring a little something you want, with a little to share. We may order sandwiches as well in case everyone brings dessert.

#### PRICING

The potluck is members-only.

This event is operated by volunteers.

## Southbridge: Networking and Topic TBD

MON  
02/03

Our monthly event will be held Monday, February 3rd from 7:00p to 9:00p at the Southbridge Community Center. Although the topic may be TBD, you can still bookmark your calendar for this real estate networking event in Southern Worcester County. Check back later for speakers and topics.

## Boston: Hearing Rent Control, Right of First Refusal

TUE  
01/14

Thanks to our Property Rights Supporters, our early warning system has notified us of a major upcoming hearing:

**Tuesday, January 14, 10:30am to 3pm**  
**State House, Gardner Auditorium**

Bill text does not remain constant during the legislative process, but it is critical that owners, managers, brokers, and others in the real estate industry speak in favor of or in opposition to the various bills being heard.

Do you think rent control is a bad idea? Then come speak against rent control.

Do you want the option to put your real estate into an LLC, or will it to your children? Then speak against right of first refusal.

**See all bills and RSVP your attendance by clicking below.**

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

### TUESDAY, JANUARY 14TH

#### AGENDA

7:00am Breakfast and networking at 50 Milk St.; you can use the room to beat traffic, arrive early and work, make calls if you want  
10:30am Hearing begins at State House  
3:00pm Hearing scheduled to end at State House

5:00pm? Hearing expected to go over  
6:00pm? Dinner at 50 Milk St.  
8:00pm Doors close

#### LOCATION

#### Pre-hearing and Post-hearing location:

CIC Boston  
First Floor, Anchor Room (through cafe)  
50 Milk St.  
Boston, MA 02110

#### Hearing location:

State House, Gardner Auditorium  
24 Beacon St.  
Boston, MA 02133

#### PARKING

Cheapest best parking for 50 Milk is the Post Office Square Garage or 33 Arch St Parking. Or take the red or orange line.

#### FOOD

Breakfast:

Continental  
Water, juice

Lunch:

Sandwiches or wraps delivered to the State House, cannot be eaten in the hearing room  
Tossed salad, pasta salad  
Water, sodas  
Mini Pastries

Dinner:

Hot Buffet, incl. salad and rolls  
Water, Sodas  
Cookies, brownies

#### PRICING

FREE.

Open to the public. Membership is not required!

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

This event is operated by MassLandlords staff.



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| info@JJMInsurance.com

| fax 508-753-5630



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Cambridge, MA 02142

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(add print delivery to existing membership  
\$90). Mail your check to MassLandlords,  
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or join online at [masslandlords.net/join](https://masslandlords.net/join).

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journalism in Massachusetts.