



MARCH 2020

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## **SPACE HEATERS –**

Dangerous? Fire-causing?  
Cost-effective? Legal?

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## **FAQ ABOUT SECURITY**

### **DEPOSITS**

from our Webinar

**NO MOW GRASS**  
Offers Alternative to  
High-Cost,  
High-Maintenance  
Lawn Care

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APPLICATION FOR ABATEMENT OF ☐ REAL PROPERTY TAX  
☐ PERSONAL PROPERTY TAX

FISCAL YEAR \_\_\_\_\_ Return to: Board of Assessors  
General Laws Chapter 80B, § 19

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION (see General Laws Chapter 80B, § 19B)

Must be filed with assessors not later than due date of first actual (not preliminary) tax payment for fiscal year.

INSTRUCTIONS: Complete BOTH sides of application. Please print or type.

A. TAXPAYER INFORMATION

Name(s) of assessed owner \_\_\_\_\_  
Name(s) and status of applicant (if other than assessed owner):  
☐ Subsequent owner (acquired title after January 1) on \_\_\_\_\_  
☐ Administrator/executor. \_\_\_\_\_  
☐ Lessee. \_\_\_\_\_  
Mailing address \_\_\_\_\_ Telephone No. ( ) \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_ City/Town \_\_\_\_\_ Zip Code \_\_\_\_\_

Accounts and dates of tax payments \_\_\_\_\_

B. PROPERTY IDENTIFICATION. Complete using information as it appears on tax bill.

Tax bill no. \_\_\_\_\_ Assessed valuation \$ \_\_\_\_\_  
Location \_\_\_\_\_ No. \_\_\_\_\_  
Description \_\_\_\_\_ Parcel ID no. (map-block-lot) \_\_\_\_\_ Land area \_\_\_\_\_ Class \_\_\_\_\_  
Personal \_\_\_\_\_ Property type(s) \_\_\_\_\_

C. REASON(S) ABATEMENT SOUGHT. Check reason(s) an abatement is warranted and briefly explain why it applies. Continue explanation on attachment if necessary.

☐ Overvaluation \_\_\_\_\_ ☐ Incorrect usage classification \_\_\_\_\_  
☐ Disproportionate assessment \_\_\_\_\_ ☐ Other. Specify \_\_\_\_\_  
Applicant's opinion of Value \$ \_\_\_\_\_ Class \_\_\_\_\_  
Explanation \_\_\_\_\_





Published by MassLandlords, 14th Floor, One Broadway, Cambridge, MA 02142.

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Cover Photo by MassLandlords Paul Nguyen.

# Letter from the Executive Director

**IN THE LETTER FOR MARCH 2020, WE LOOK BACK AT RENTHELPER'S BEST YEAR, PROVIDE AN UPDATE ON CERTIFICATION, AND DISCUSS TESTIMONY WE OFFERED TOWARD ZONING REFORM.**

February was a great month for MassLandlords, in terms of services we offer members and our political advocacy.

The RentHelper service, a spin-off we launched in 2016 with some outside for-profit investment, continues to grow organically. RentHelper issued \$900,000 in 1099-MISC forms to participating MassLandlords members, a new record. The service is a virtual office manager that automates rent collection, texts with renters about payment timing and amount, and reports to Transunion for credit.

The Certified Massachusetts Landlord Level Two test is up and running to beta testers. Comments in general have so far been completely positive. We have observed that the beta test is capable of passing landlords proficient in some areas but not in others, for instance, fair housing but not security deposits. We will likely further extend the test launch date to April so we can break the test into modules. This will ensure that each certified landlord demonstrates minimum competence in each critical skill.

We corrected some longstanding issues with the renewal of membership add-on's, like the print newsletter, advertisements, helpline, and property rights supporter donations. We expect these renewals to go smoother for participating members starting in March and April.

We updated our Policy Priorities Survey and started sending out notice via print, email, and the website. We have included questions on eviction sealing, transfer taxes, and emotional support animals. We have replaced proposals on climate change and public subsidy administration with new wording. We continue to ask about rent control, security deposit reform, and much more.

In terms of advocacy, we turned our attention to the municipal level. We provided written testimony to the City of Worcester about their proposal to go fare-free with the Worcester Regional Transportation Administration. We also wrote to the Pioneer Valley Planning Commission to help with its work to review impediments to fair housing. We pointed out that rental housing is in short supply in part because most communities have minimum lot sizes, restrictions on unrelated occupants, and parking requirements. Safe apartments are unnecessarily illegal in many places they otherwise would exist. We hope to contribute to the zoning reform that will fix some of these longstanding barriers to entry.

Overall, February continued our upward climb. Please invite a friend to join our mailing list; we're doing great work, and our membership offers something to everyone in the business, especially policy-wise.

Sincerely,

**Douglas Quattrochi**

Executive Director

MassLandlords, Inc.



# NO MOW GRASS OFFERS ALTERNATIVE to High-Cost, High-Maintenance Lawn Care

By Eric Weld, MassLandLords, Inc.

**“No mow grass,” a seed blend of slow-growing, low-maintenance grasses, presents opportunities for property owners to save time and money on lawn care.**

More and more property owners are choosing a product called “no mow grass” for their lawns, here in Massachusetts and throughout the country, as a way to save money and time spent on lawn care while lightening environmental impact.

No mow grass is a low maintenance lawn alternative that mixes together several slow growth grass seeds that sprout into lush lawns needing mowing only a couple times per year depending on preference. The term “no mow grass” describes a range of seed blends that grow slower than typical lawn mixes,

including fine fescues, buffalo grass, zoysia and clover.

The savings can be substantial.

Massachusetts property owners spend an average of \$63 to have a half-acre lawn mowed every other week, according to statistics compiled by LawnStarter. That can add up to more than \$800 a year, and that doesn't include add-ons like fertilization and increased water bills.

For landlords with multiple properties, that average cost increases in proportion with the number of lawns needing regular maintenance. DIY landlords can shave savings off the lawn care price tag but it'll cost time—as much as several hours a week during heavy growth months of April through July.

Imagine trimming that lawn care budget down to a couple of mows per year with no need for fertilizing and watering. A switch to no mow grass

could save more than \$650 per year per property on mowing alone.

The savings in money and time may be a large part of the explanation for an increase in recent years in slow growth grass mixes used in New England, such as white clover and several varieties of fescues.

John Cunningham, a lawn and garden manager at Mahoney's Garden Center's Winchester, MA, store, recently told MassLandlords there has been an uptick in slow growing lawn mixes in the past decade, particularly a product named Black Beauty, which is a blend of three tall fescues.

“A lot of people really like this stuff,” he said. “It's been kind of a big hit. Also, we do see quite a few people looking for micro-clover,” another slow-growing lawn alternative.

In addition to the budget and time savings, Cunningham points out, many homeowners prefer the slow-growing grasses for their lighter environmental impact, such as lower water usage, no fertilizer added to the soil, and a reduction in carbon emissions with less mowing.

## MASS. GRASS

The type of grass you have on your lawn depends largely on your local climate. Massachusetts' long cold winters and hot, humid summers require a somewhat harder grass blend than southern, temperate climates.

Kentucky Bluegrass is the most common cool season grass and proliferates lawns throughout Massachusetts and the Northeast. Many prefer it for its rich, green hue, its even growth pattern and tendency to fill in bare areas. But Kentucky Bluegrass requires irrigation



No mow grass seeds sprout into lush, rich green lawns that require only occasional mowing (image courtesy of Prairie Nursery, Inc.)



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during hot peaks, needs regular fertilizer, and does not fare well in shady zones.

No mow grass offers an equally hardy alternative without the constant need of attention and resources—and no need for fertilizer or watering.

Prarie Nursery, Inc., a landscape retailer in Westfield, WI, is a top seller of no mow grass. President Nick Diboll assures that Massachusetts lies solidly within the “no mow zone” where slow growing grass varieties can thrive. His custom blend of slow growth fescue grasses takes well to the variant New England climates with low groundwater at times, shady areas and millions of

rocks underground for roots to grow through and around.

### WHEN TO PLANT

The most optimal time to plant no mow grass is in the early fall, notes Diboll, but planting can also be effective in the spring before heavy rain as long as competing weed growth is monitored closely.

Switching a lawn from a typical bluegrass, for example, to a slow growth seed mix requires removing existing grass first to avoid competing growth.

Despite the upfront investment, however, Diboll emphasizes no mow grass is very cost-effective in the long

run, especially when gas, fertilizer and increased water bills are taken into account. [M](#)

Point your camera app here to read more online.



No mow grass seeds sprout into lush, green lawns (image courtesy of Prarie Nursery, Inc.)



No mow lawns require mowing as little as twice a year depending on preferences (photo by David Metzger, courtesy of Prarie Nursery, Inc.)

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# New (Old) Voting System on Ballot in November: **RANKED CHOICE VOTING**

By Peter Vickery, Esq.

**Voter Choice 2020 will put Ranked Choice Voting on the ballot in November 2020. Ranked choice will reduce polarization and turn up minority voices.**

One of the questions likely to appear on the statewide ballot in November will ask whether Massachusetts voters want to adopt a new voting system called Ranked Choice Voting (RCV), which lets voters rank candidates in the order of preference

(1 for your favorite, 2 for second best, etc.). In some ways, the system would be a novel departure. But in another way, it would mark a return to the way Bay Staters used to elect their politicians.

Putting to one side the question of whether RCV qualifies as a leap into the unknown or a return to old principles, what could it mean for landlords?

## **BACK TO BASICS? HISTORY OF MASSACHUSETTS RUN OFFS**

Between the adoption of the State Constitution in 1783 and 1855,

candidates for office needed to obtain a majority of the votes in order to win. If no candidate won a majority, there had to be a re-run. But the tendency of smaller parties to field candidates who had no hope of winning resulted in re-run after re-run with elections sometimes lasting weeks. A no-hope candidate would drop out on the condition that one of the major parties would endorse a particular plank in the minor party's platform. For example, the abolitionist Liberty Party would force re-runs until either the Whigs



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or the Democrats agreed to thwart slave-catchers.

### KNOW NOTHINGS TO GOO-GOOS

Week-long runoffs were eliminated in 1855 when the electorate ratified a constitutional amendment that ditched the majority requirement in favor of plurality voting. The switch was part of an extraordinary political upheaval that changed the electoral landscape of Massachusetts in a period that saw the landslide victory of the American Party (commonly known as the Know Nothing Party), the collapse of the Whigs, and the birth of the Republican Party.

Without the leverage that the majority requirement had given them, single-issue parties had no prospect of exerting influence on the two major parties. So from the Civil War onward, plurality voting – with its stable two-party result – was the norm, in Massachusetts and elsewhere.

But in the 1890s, campaigners nationwide began to agitate for new methods that were becoming popular in Europe.

These new methods included proportional representation (PR) in place of the winner-take-all, and something called the single transferable vote (STV). Their goal? To break the power of not only the party bosses (e.g. Boss Tweed of Tammany Hall) but also the parties themselves. The advocates saw themselves as reformers. To their opponents, they were naïve elitist goo-goos (from “good government”).

### PLAN E

In Massachusetts, the advocates’ efforts culminated in the PR system known as Plan E, which the Legislature introduced in 1938. At least nine cities adopted Plan E before the Legislature abolished it in 1972. The only city to retain the system – after a courtroom battle – was Cambridge. Readers who wish to learn more about the litigation and the legislative history of Plan E may read *McSweeney v. City of Cambridge*, 422 Mass. 648 (1996).

### FROM STV, TO IRV, TO RCV

The systems known as single transferable vote (STV), instant runoff

voting (IRV) and ranked choice voting (RCV) are the same. How they work and why they have several names is best explained with an example. With plurality voting, the way we vote today in Massachusetts, a race with three or more candidates can produce a winner who has the support of far fewer than half the voters. For example:

Libertarian	25%
Republican	30%
Democrat	35%

In this scenario, the Democrat wins even though most voters (55%) would have preferred a non-Democrat. The Republicans would refer to the Libertarian pejoratively as the “spoiler,” the moniker that some Democrats applied to Ralph Nader after the 2000 presidential election. A similar but hopeless party detracts from the main party’s chances.

To avoid the spoiler effect, some states (ten at present) use runoff elections, similar to the way voters in France elect their President. A runoff is where there are more than two candidates running for a single office. The first round of voting knocks out the less popular candidates leaving just the top two to face off in a second round. The purpose is to ensure that the winning candidate is the one who can muster broad popular support even among voters who would prefer, say, a Libertarian but will settle for a Republican. This is akin to an athlete winning silver in the first round, and being awarded gold as the best performer over two rounds.

Single transferable vote (STV) replicates the results of a runoff election by allowing voters to express their second and third choices from the get-go, without the delay, expense, and reduced turnout of a second round of voting. Because American voters are somewhat familiar with runoffs, campaigners in the US dubbed the system Instant Runoff Voting (IRV). Voters in several parts of the country use IRV in local and State elections, e.g. San Francisco and Oakland, California; Portland, Maine. Some communities have experimented with IRV and gone on to repeal it, e.g. Ann Arbor, Michigan, and Aspen, Colorado. (Ann Arbor repealed in 1976,



VoterChoice2020 would allow nuanced preference to be considered, particularly of economic and racial minorities, whose “first choice” candidate often stands no chance at election under current methods.



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prior to the Internet and computers, which now make tabulation easy. Aspen repealed to return to its previous run-off system but not to the plurality voting we have here in Massachusetts.)

In Massachusetts, advocates have renamed Instant Runoff Voting to be Ranked Choice Voting. The name has changed, but the system is the same.

### IS THERE A PROBLEM IN NEED OF THIS SOLUTION?

Does the spoiler effect stifle the growth of third parties? Or, to put it in commercial terms, is there a market here for third parties?

Believe it or not, there are four recognized parties with ballot status in Massachusetts: Democratic, Republican, Libertarian, and Green-Rainbow. In the early 2000s we briefly had a union-oriented party called the Working Families Party (already well established in New York and Connecticut). Between 2014 and 2016, we also had a United Independent Party led by Evan Falchuk,

its gubernatorial candidate who later joined the Democratic Party.

Of course, looking at our electoral map you might be forgiven for thinking that there was only one party, or one-and-a-half. The Democrats have a super-majority in both chambers of the Legislature, both US Senators from Massachusetts are Democrats as are all the State's representatives in Congress, all members of the Governor's Council, and all but two of the six statewide elected officials. The only exception to Democratic monopoly is currently the Governor and Lieutenant Governor. The last time the Commonwealth's presidential electors went for a Republican was in 1984 for President Reagan. That's why they call us a Blue State.

But only one-third of the voters are registered Democrats. Most Massachusetts voters (55.5%) are unenrolled, or what we used to call independent, i.e. not registered supporters of any party. That's an increase of 7% since 2004.

With an increasing proportion of voters are choosing not to affiliate with any of the current parties, it seems reasonable to discern a gap in the electoral marketplace. Based on that trend, and the occasional flash in the pan like the Working Families Party and the United Independent Party, there is clearly an appetite for alternatives, or at least to have a nuanced opinion recognized in policy making. An opening could emerge for occupational or regional parties that campaign for greater resources. Is it too far-fetched to imagine a Farmers Party or a Western Massachusetts Party?

But so long as the plurality system remains, new parties that manage to marshal the resources to field candidates risk the spoiler effect, i.e. drawing votes away from their ideological allies and thereby unintentionally helping their opponents. That is one problem that ranked choice voting could solve. As ever in public policy, there are bound to be tradeoffs and unintended consequences.

## IS RANKED CHOICE VOTING WORSE THAN THE CURE?

Proponents of preferential voting trumpet its simplicity ("it's as easy as 1, 2, 3"). The organization behind the RCV ballot question, Voter Choice Massachusetts, says that the new system "will open up the process to more candidates from outside the system, by giving all candidates a chance to compete and win." They say RCV "promotes diversity of political viewpoints and creates more opportunities for women and people of color to run for office."

But sometimes RCV has an unfortunate impact on the very constituencies its proponents are eager to help. For example, in San Francisco, where voters are limited to three preferences, in elections with four or more candidates some voters rank as many preferences as there are candidates, accidentally rendering their entire ballots invalid. Scholars at the San Francisco State University have noted that this phenomenon of over-voting is more pronounced among older and low-income voters and in some predominantly African-American and Hispanic neighborhoods.

When the system effectively disenfranchises communities that are traditionally under-represented, it is not working as intended.

A second problem arises when some voters choose to express only their first preference, meaning that if their

first-choice candidate is knocked out in round one, their ballot cannot go to their second-choice candidate (because they did not mark that second choice on the ballot).

In this way, even though a common effect of ranked choice voting is to promote moderation and consensus, sometimes it can lead to centrists losing to a more ideologically extreme candidate. Another example from San Francisco illustrates this point. In the 2019 election for district attorney in San Francisco, victory went to Chesa Boudin, the most radical progressive in the four-way race, a public defender committed to abolishing the requirement that suspects post bail as a condition of pretrial release.

John Nichols, writing in *The Nation* magazine, declared that Boudin's election "proves that revolutionary change is possible."

One commentator has laid Boudin's success at the door of moderate voters who, after voting for their favorite candidate, were either exhausted and stopped ranking other candidates, or else purposely chose not to let their votes go on to help any of the other moderate candidates.

The lesson? In Ranked Choice Voting, the choice of whether to rank or not to rank lies with each and every voter, and choices always have consequences.

## VOTER CHOICE CONCLUSION

Voter Choice Massachusetts hopes that ranked choice voting will become the way we elect officials in Massachusetts. If it passes and we fail to educate voters about how RCV works, we risk disenfranchising many voices or seeing unwanted results. On the whole, however, the reward likely outweighs the risk. Ranked choice voting tends to create a conciliatory, alliance-forming kind of politics. Ranked choice voters can vote for the candidate they like most without fear of letting in the candidate they like least. Candidates whose appeal extends beyond their core supporters will tend to fare better than extremists. RCV also enables the birth and growth of small niche parties that can cater to interest groups. Without the inhibiting spoiler effect of plurality voting, an economic minority group such as landlords or others interested in housing policy could create their own party and amplify their political voice. M

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# HOW TO GET A PROPERTY TAX ABATEMENT for a Rental Income Property in Massachusetts

By Kimberly Rau, MassLandlords Writer

## A time-consuming property tax abatement process could mean tax savings for your rental income property.

There are few things in life as certain as taxes, and it's a safe bet that most people don't like paying them. However, if owners feel the amount they're being asked to pay is unfair, often due to an inaccurate property tax assessment, they may be able to ask their city or town for a property tax abatement, even on rental income property. This essentially offers property owners a refund on the taxes they've paid for that year. While getting one is not a guarantee, if granted, a property tax abatement could save you quite a bit of money.

### A QUICK OVERVIEW OF PROPERTY TAXES

Mass.gov sums up property taxes in a straightforward manner. "For many cities and towns, property taxes are the largest funding source for teachers, police, firefighters, and public works... and many other local resources and services." Property taxes fund municipal responsibilities (that is, they do not go towards direct aid programs such as food stamps). Whether that's new police cruisers or keeping a high school sports program funded for another year, property taxes are vital to the community.

That statement is especially true in municipalities where there is not a lot of tax income from commercial or industrial zones. In these areas, property taxes can fund up to 87 percent of a town or city's budget. The Boston Chamber of Commerce put together [an infographic](#) that allows you to see what percent of Fiscal Year 2019 revenue came from property taxes in every town or city in

Massachusetts. Boston, Worcester and Springfield got approximately 27, 24 and 17 percent of their 2019 revenue from property taxes, respectively. On the other hand, Carlisle and Sherborn each came in at more than 80 percent.

In 1982, after a ballot measure that was voted on in 1980, Proposition 2 1/2 ("two and a half") was enacted. This put a cap on how much cities and towns could increase property taxes in a given year. Municipalities are not allowed to collect property tax revenue that is more than 2.5 percent of the assessed value of all of their taxable property. They are also not allowed to annually increase property taxes by more than 2.5 percent. These measures can be overridden by a citizen vote within an individual municipality if more revenue is needed for a specific project.

A drawback to the Prop. 2.5 cap is that when the rate of inflation exceeds 2.5 percent, as it often has since 1982, municipalities will see a decline in local tax revenue. This effectively decreases a city or town's spending power, potentially hurting schools or other locally funded programs.

Of course, understanding why property taxes are important isn't much comfort if you feel your taxes are still too high. In the next section, we'll look at the differences between a property tax exemption and a property tax abatement.

### PROPERTY TAX EXEMPTION VS. PROPERTY TAX ABATEMENT

Though the terms "exemption" and "abatement" are often used interchangeably in casual conversation, there is a difference between the two. You want to make sure you're asking for the right thing when you visit your local tax office.

A property tax exemption is granted by a city or town and allows a qualifying

person to be excused from paying all or part of their property tax for that year. However, these exemptions are not based on a property's value. Instead, they are often circumstantial. For instance, elderly people with low or fixed incomes, religious organizations, or disabled individuals may qualify for exemptions. Rental income properties are typically not granted property tax exemptions.

A property tax abatement, on the other hand, is a reduction in the property taxes you have to pay based on your home's value. The city of Westfield has a [good breakdown](#) of the reasons why someone may seek an abatement, including the tax office having incorrect information about the home (number of bathrooms, out-buildings that no longer are on the property, wrong square footage) or overvaluation. Overvaluation is when the assessed value of the property does not correspond to its true value.

In most circumstances, to file for a property tax abatement, you must be the current or assessed owner of the property, or an authorized agent. Check with your specific city or town if you are unsure about who should be filing for your property.

It's important to note that you can have your tax office amend errors in factual data at any time (they say your property is 3,000 square feet, you know it's closer to 2,500). However, if you do not go through the abatement process, any change in valuation will only be applied to the next year's tax bill.

It's also vital you remember that you must be current on your taxes while seeking an abatement. Pay your taxes on schedule as you normally would to avoid interest charges. If you get an abatement, it will act as a refund to you.

## WHERE DO I GET A PROPERTY TAX ABATEMENT FORM?

So, now that you know a property tax abatement is what you're after for your rental income property, it's time to start the process of requesting one. Though certain parts of the property tax abatement process are regulated by the state, your first step will always be through your local city or town hall. That's where abatement application forms are issued. Before you take a trip downtown, though, check your city or town's website. Some municipalities make the form available for download, either year-round or when the window for filing is open. When and how you get your abatement request form is up to your local tax office.

There are strict timelines for when you can file your property tax abatement

request, and cities and towns are not allowed to grant extensions. This is regulated by the state, and in most cases, your application must be filed before February 1. If you are paying your property taxes quarterly on a fiscal year basis, this is right before the third quarter's payment is due. And while you may have missed the deadline this year, with such an involved process, it's never too early to start thinking ahead.

## HOW DO I FIND COMPS AND ASSESSED VALUES TO GET A PROPERTY TAX ABATEMENT IN MASSACHUSETTS?

In Massachusetts, there are three ways to determine property value: Cost, sales and income. For private homes, most owners seeking an abatement will go

with the sales option, comparing the value of their home to recent comparable sales in the area

If you are requesting a property tax abatement based on the assessed values of similar properties in your municipality, you will need to provide this information to your city or town. Called "comps," these examples are of similar properties (this means things like lot size, square footage, condition, outbuildings, etc.) that are assessed at a value closer to what you think yours should be. Most Massachusetts municipalities want at least three comps as proof that your property is assessed too high, and multiple cities suggest that if you are using sales comps, they should be from 2018 or later. Tewksbury spells out that it wants those three comps, a full interior and exterior inspection (discussed in the next section), and information on when and how you purchased your property.

How do you find comps? Places like Zillow aren't necessarily accurate, because market value does not equate to assessed value. If you are going with a sales approach (that is, looking at similar properties that have sold recently), start online or at our tax office.

For deeds, land sales and transactions, you can check [MassLandRecords](#). The city of Boston also offers a tax parcel viewer, and lets you see your own property tax assessment [here](#). In Springfield, the main site for the tax assessor's office includes links to spreadsheets for comparable sales and street listings. Worcester's property tax information is also available online, though you may need the owner's name and other information to access certain property listings. The more information you can provide to back up your claim, the stronger your case will be, so again, due diligence is important here.

## THE COST AND INCOME VALUATION APPROACHES

There are two other ways besides sales comparison to determine your property's value: cost and income. Rental property owners may prefer these options to sales. If there is not enough sales data on similar buildings, for instance, if there are not a lot of multi-family units in your area and that's what you have,

State Tax Form 128  
Revised 11/2016

The Commonwealth of Massachusetts

Name of City or Town \_\_\_\_\_

Assessors' Use only  
Date Received \_\_\_\_\_  
Application No. \_\_\_\_\_

APPLICATION FOR ABATEMENT OF ☐ REAL PROPERTY TAX  
☐ PERSONAL PROPERTY TAX

FISCAL YEAR \_\_\_\_\_  
General Laws Chapter 59, § 59

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION (See General Laws Chapter 59, § 60)

Return to: Board of Assessors  
Must be filed with assessors not later than due date of first actual (not preliminary) tax payment for fiscal year.

INSTRUCTIONS: Complete BOTH sides of application. Please print or type.

A. TAXPAYER INFORMATION.

Name(s) of assessed owner: \_\_\_\_\_  
Name(s) and status of applicant (if other than assessed owner) \_\_\_\_\_  
☐ Subsequent owner (acquired title after January 1) on \_\_\_\_\_  
☐ Administrator/executor. ☐ Mortgagee.  
☐ Lessee. ☐ Other. Specify. \_\_\_\_\_  
Mailing address \_\_\_\_\_ Telephone No. ( ) \_\_\_\_\_  
No. Street City/Town Zip Code \_\_\_\_\_

Amounts and dates of tax payments \_\_\_\_\_

B. PROPERTY IDENTIFICATION. Complete using information as it appears on tax bill.

Tax bill no. \_\_\_\_\_ Assessed valuation \$ \_\_\_\_\_  
Location No. Street \_\_\_\_\_  
Description \_\_\_\_\_  
Real: \_\_\_\_\_ Parcel ID no. (map-block-lot) \_\_\_\_\_ Land area \_\_\_\_\_ Class \_\_\_\_\_  
Personal: \_\_\_\_\_ Property type(s) \_\_\_\_\_

C. REASON(S) ABATEMENT SOUGHT. Check reason(s) an abatement is warranted and briefly explain why it applies.  
Continue explanation on attachment if necessary.

☐ Overvaluation ☐ Incorrect usage classification  
☐ Disproportionate assessment ☐ Other. Specify. \_\_\_\_\_  
Applicant's opinion of: Value \$ \_\_\_\_\_ Class \_\_\_\_\_  
Explanation \_\_\_\_\_

Seeking a property tax abatement for your rental income property? It starts with this form.

looking at the building's income may be more informative.

The income approach looks at market rent to determine property value. Essentially, the value is determined by looking at the expected cash flow you will get from renting it out, occupancy rates, and operating costs. The city of Boston states that this is especially useful for multi-unit residential income properties, where multiple sales comps may not be available to you.

The cost approach is a bit trickier. Property metrics says the cost approach is "based on the economic belief that informed buyers will not pay any more for a product than they would for the cost of producing a similar product that has the same level of utility." In other words, the value is determined by looking at the value of the land the building is sitting on, and then subtracting any depreciation from what it would cost to build a new, identical building. This is best utilized for new or almost-new properties, or special use properties where finding sales comps would be difficult. The cost approach is complicated and typically reserved for specialized property, like churches. It should not be considered a loophole in the valuation process. For more information, the real estate exam prep page of For Dummies has a good breakdown.

### DO I NEED A PROPERTY ASSESSMENT TO GET A TAX ABATEMENT ON MY RENTAL PROPERTY?

Every year, property assessors are visiting homes in their municipalities to obtain tax information. Revaluations on properties are done every three years. According to Tom Walsh, who works with the City of Worcester, assessors are required to have knocked on every door in a given city every 9 years. As a property lister, Walsh works with the city's tax office to ensure that property information for tax purposes is accurate. "The assessors try to get it as close as they can," Walsh said. "They're trying to make the assessment as accurate as possible. That's their goal."

He noted that tax bills in Worcester have "skyrocketed" after the most recent assessment (FY 2020) and that rents have gone up accordingly. What's driving it is

hard to pinpoint, but he was clear on this: If you are seeking an abatement, you must have an assessor look at your property.

Walsh said that people are sometimes reluctant to let assessors in. However, Walsh said that actually laying eyes on a property and noting any improvements (or lack thereof) is one of the best ways to determine its value. If the tax information the city has on file says you have four bedrooms, for instance, and you only have three, it's important that someone be able to obtain the correct information. If you used to have a shed and now it's gone, they'll want to know that too. A finished basement is different from a crawl space when it comes to property value. All of those factors can determine how much you pay in taxes each year.

"We really can't lower [your tax bill] if we can't see it," Walsh explained. "If people file for an abatement, they must let us inspect the property, [or] we can't change anything." He said that the tax office will factor in depreciation when assessing the value of a property, but added that in most cases, people are better off letting the tax office know about property changes in order to make an accurate assessment.

### IS REQUESTING A PROPERTY TAX ABATEMENT WORTH MY TIME?

Despite the potential savings, some people say taking the time to get a property tax abatement is more trouble than it's worth. For one Massachusetts landlord, who spoke to MassLandlords on the condition of anonymity, the answer is no. This individual has more than 25 years' experience in both property ownership and mortgage loan servicing, and has successfully sought property tax abatements in the past. However, his experience in one city in 2018 made him say "never again."


"It's a nightmare process," he said. "They sucker you in to believing this is a fast process." That year, this landlord saw his property taxes jump on two rental units—one by approximately 10 percent, but the other one by a whopping 30 percent. It was this second property that he sought an abatement for, collecting comps and allowing an assessor access to his property.

"I know appraisals in my sleep," he told MassLandlords. "I went in with data." He said he was looking for a compromise on the much higher tax bill, but after his property was assessed by the city, he was denied any abatement. He said he felt taken advantage of by the assessor photographing his property, something that blindsided him, and does not believe that the city closely looked at the information he sent in.

"I get that [the city] wants more money, and they do deserve it," he said, mentioning the many infrastructure improvements his city has seen in recent years. "But I was hoping for a compromise. You don't just file [an abatement] because you're mad the taxes went up."

At the end of the day, this landlord was dissatisfied with the city's answer, and is unsure why he was denied any abatement. He said his comps may not have been perfect, or that perhaps the fact that his rents went up factored in to the denial, but regardless, after past successes, he will not be seeking future abatements.

"I'll take my lumps," he said.

However, he has had success with property tax abatements in the past. Was this a fluke? Getting a property tax abatement can mean a lot of time and energy spent filing forms, gathering information, and getting your property assessed. However, with taxes rising all the time (Prop 2.5 or no), if you have an inaccurate property value on file with the city, an abatement can only save you money. Contact your local tax office to see what your property is assessed at, and what factors are contributing to that amount. If you see something amiss, take the time to get the right information on file with your municipality. 

Point your camera app here to read more online.





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# SPACE HEATERS – Dangerous? Fire-causing? Cost-effective? Legal?

By Eric Weld, MassLandlords, Inc.

**Portable space heaters can be dangerous if used improperly, but they can also save money with careful use, and provide essential comfort.**

Space heaters of numerous types and technologies have long served as supplemental warming alternatives in cool months for budget and resource-conscious homeowners and renters of relatively smaller dwellings.

And while the use of portable space heaters raises a lot of questions about safety and efficiency, these warming devices have been helping offset cold New England temperatures for more than a century.

(For the sake of clarity, when we refer to space heaters in this article we are referring to portable space heaters for residential use, not electric baseboards, mounted heaters on walls, floors or ceilings, or wood or pellet-burning stoves, all of which can also be considered space heaters. Nor are we referring to outdoor natural gas, propane or kerosene-burning high-powered commercial blower heaters such as those you might find on a construction site or a football game sideline.)

Home space heaters have come a long way since the first gas-fueled devices warmed drafty domiciles in the mid-19th century. Those first gas heaters were basically portable Bunsen burners that heated the surrounding air with an open flame. The first electric space heater was invented by Albert Leroy Marsh in 1905. Marsh's relatively safer and more efficient device used resistance to heat up a chromium alloy that gave off heat around it.

Today's space heaters have made many improvements to address safety and efficiency concerns. They have also expanded



**Most modern space heaters come with safety features including tip over switch, timers and over-heat shut-off systems.**

in terms of type with a huge variety available – electric, infrared, oil-filled, propane, natural gas and kerosene.

There are convection heaters that draw in air, warm it, then circulate it throughout a room; infrared heaters that project a beam of heat directly in front of the unit; and electric heaters that warm an element inside a reservoir of oil and circulate the resulting heat. There is an array of brands – DeLonghi, Holmes, Honeywell and Lasko among those recommended by Consumer Reports -- all offering a range of safety and efficiency features.

## SPACE HEATERS IN THE STATE SANITARY CODE

Still, despite all the changes and improvements over time, and the broadening of

options, portable space heaters have not escaped their reputation for danger.

Presumably, that's one reason portable space heaters may soon be prohibited from use in rentals in the Department of Public Health's Minimum Standards of Fitness for Human Habitation, more commonly known as the state sanitary code. MassLandlords recently wrote about this year's [proposed changes](#) to the code, which include listing "portable space heaters, parlor heaters, cabinet heaters, room heaters" among devices that do not meet sanitary code requirements.

Such across-the-board changes, while they may aim to address safety, run the risk of literally leaving many New Englanders out in the cold when, for instance, their home heating system fails and they are temporarily without warming options. Or the countless budget-limited folks who can't afford a new high-efficiency furnace or a winter's worth of fuel and depend on portable heaters as a way of staying warm for less up-front money.

## SPACE HEATER QUESTIONS

There are many questions around space heater use, especially for renters and landlords trying to save money, stay safe and comply with sanitary code regulations and proposed changes. Among the most frequently asked: Are space heaters dangerous? Do space heaters cause fires? Do space heaters save money? What types of space heaters are best? Electric infrared? Oil-filled? Convection or radiant? Which brands?

The answer to these questions is the same as it is to so many of life's mysteries: it depends. To help sort and clarify some of the encyclopedic information about space heaters, we take a deeper look here at these questions one at a time.



Portable electric space heaters have come a long way since this 1960s vintage model.

### DO SPACE HEATERS CAUSE FIRES?

This might be the most common space heater concern. Examples of space heaters themselves causing fires, when following safe usage guidelines, are relatively rare. Some space heater models, like the Vornado Air VH110 vortex electric heater and the Duraflame electric heater, have heated up excessively causing melting and fire in some cases due to faulty manufacturing. Both of these models were recalled in 2014.

However, with unsafe usage, portable electric heaters are more dangerous. They are involved in about 1,100 fires every year, resulting in about 50 deaths and numerous burn-related emergency room visits, according to statistics from the U.S. Consumer Product Safety Commission (CPSC).

While space heaters accounted for about 44 percent of all home fires involving heating equipment between 2012 and 2016 (including space heaters, furnaces and heating stoves), those fires resulted in a much higher rate of death and injury – 86 percent of civilian deaths and 78 percent of civilian injuries, according to National Fire Protection Association statistics.

But space heaters aren't the only household appliances that cause fires. In fact, heating equipment is the second leading causal factor in home fires, accounting for 9.1 percent of the 371,500 residential fires in the U.S. in 2017, estimates the U.S. Fire Administration. Cooking accidents are by far the leading cause of home fires, accounting for 51.6 percent.

Other common home appliances that contribute to or cause fires include dishwashers, clothes dryers, microwave ovens, refrigerators and toasters.

### ARE SPACE HEATERS DANGEROUS?

This is related to the above question, and one would have to conclude that space heater use is dangerous as evidenced by all those fires, deaths and emergency room visits cited in statistics above.

Because of what they do – e.g. create intense heat in order to warm the surrounding air – all portable space heaters have an element of danger. That is, by effectively doing their job, they have the potential to cause burns.

But many, maybe even most, of the fire and burn-related accidents associated with space heaters can be attributed to unwise or errant behavior on the part of space heater users: Draping clothing or wet towels over the heater for drying, plugging a heater into an old, frayed or long extension cord or into an overburdened outlet; accidentally tipping over heating units; leaving heaters that are hot to the touch within reach of small children, to name just a few examples.

"Space heaters, when used properly, are not considered inherently dangerous," Jennifer Mieth, a public information officer with the state Department of Fire Services, recently told MassLandlords, "but they are so easy to use incorrectly."

And like other heavy load home appliances, space heaters also carry the potential of causing shocks and overloading circuits.

"That is a concern for landlords," said Mieth. "Have they maintained their electrical systems such that tenants can use them safely and properly? Are there outlets that match the amps that a space heater draws?"

Still, as Mieth points out, when used properly, abiding by all manufacturer recommendations and safety tips included with the purchase of today's space heaters, they are not anymore inherently dangerous than those other home products that have been known to catch or cause fire and burns: your toaster, electric blanket, air conditioner, clothes dryer, stove, microwave, etcetera.

One facet that partly distinguishes space heaters from some other appliances, however, is their portability. That allows users to potentially place them in precarious locations, such as near curtains (where electrical outlets are often nearby), amid kids' pathways, too close to a playpen, or atop furniture or shelves where they could topple.

Space heaters should always be used with caution and adherence to recommended safety practices: plug them only into three-prong outlets directly and do not plug any other electrical devices into that outlet; make sure to place them at least three feet away from furniture, curtains or other items; never leave them on and unattended – always turn them off when leaving the room or going to sleep; place them away from high traffic pathways; place them on level, flat surfaces only, never on furniture, shelves or tables; always unplug and store the heater when it is not in use.

Are space heaters dangerous? Certainly, potentially. But they are not the leading cause of home fires, and are not exorbitantly more dangerous than other heat-generating items in your home that also require caution and care.

Before giving your renters permission to use space heaters in their residences, be certain that they have demonstrated themselves to be conscientious caretakers of your property. Even then, have an in-person conversation about space heater use first, explaining the dangers of inappropriate use. Help your renters identify safe locations and electrical connections, and discuss proper procedures.

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## DO SPACE HEATERS SAVE MONEY?

Space heaters can save money. But because there are so many choices of types, brands and features, your space heater purchase has to be made according to the specifics of your situation in order to realize savings.

Space heaters are not expensive to purchase. They range from less than \$30 for a small under-the-desk unit up to \$200 or more for room-warming heaters. Once you buy a heater, it's the increased electric bill that mostly accounts for the cost.

Electric infrared space heaters tend to have lower purchase price tags than convection models. However, electric heaters use a lot of electricity, 1,500 watts per hour on average.

Oil-filled electric heaters are considered the most efficient type because they don't require a constant electric feed; the radiation of the heated oil continues uninterrupted while electricity cycles on and off.

Regardless of type, if you or your renters opt to run an electric space heater throughout winter, you should offset that high cost by lowering the furnace-generated heat through other parts of the house and only warming a single room.

Using a space heater with a built-in thermostat can also help save costs by setting it to turn off when it reaches a set temperature to avoid wastefully over-heating the room. Of course, the lower you set the heater's thermostat, the less you will pay for electricity to run it.

The size of the heated room will also determine how much you can save using an electric space heater. Those who heat homes with natural gas furnaces can reduce overall heating bills if the heat needed from a space heater is less than half of the total heat for your entire house, according to Consumer Reports.

For best efficiency, run space heaters in rooms that are well insulated or have interior walls. Thin, poorly insulated walls will defeat the purpose of the heater and cost much more by leaking air straight out of the room. You're essentially heating the outside or cold, unused rooms.

Finally, for the environmentally conscious: electric heating is not only expensive, it also has a heavy carbon footprint. The more efficient your heater is, the better matched it is to your needs, and the more you are able to retain the heated

air inside the room, the smaller your environmental impact will be. You also have the option to choose your electricity supply to come from 100 percent renewable energy.

## WHAT TYPES OF SPACE HEATERS ARE BEST?

Foremost, the best heaters are the safest heaters. Today's models come with a host of safety features that should be considered mandatory: adjustable thermostats that can set the machine to maintain a reasonable temperature; automatic shut-off triggers to shut it down when the internal temperature gets excessive; timer switches that you can set to shut off the heater after you've fallen asleep or left the room; and automatic tip-over shut-off switches, essential with kids or pets around.

Importantly, emphasized Mieth, only buy space heaters with an Underwriters Laboratories (UL) certification. This means the machines have been tested for safety and quality by this trusted nonprofit agency. A clearly visible UL emblem is affixed to these models.

Beyond safety, you should match your space heater purchase specifically to your needs. If it's a small area being heated for one or two people, a small electric infrared heater with a fan can quickly supply direct, sustained warmth.

If you want to heat a full room with several people, consider a large convection heater that circulates heated air throughout the space rather than a radiant heater's direct beam.

## ELECTRIC INFRARED HEATERS VS. ELECTRIC OIL-FILLED HEATERS

Both these types of heaters come with specific benefits and drawbacks. As stated, electric infrared heaters are expensive to run, especially if not well matched to heating needs. But they tend to be among the least expensive to buy, and many prefer these types for their concentrated scope of heat that warms the skin and clothing the minute it's turned on.

Quickly gaining in popularity is the electric oil-filled heater, or radiator. These models, which look like mini-radiators on wheels, are slightly more expensive than electric infrared heaters but may be the smarter buy in the long run for their superior efficiency.

Electric oil-filled heaters take a little longer to warm up a room because their electric element heats up a reservoir of oil then gradually spreads the resulting warmth throughout the space. These heaters are more effective for heating an entire room rather than a specific smaller space.

Electric oil-filled heaters are also safer than their infrared counterparts because they operate at lower surface temperatures while infrared models heat up their surface housing partly as a way of radiating that heat directly in front of them. Therefore, oil-filled radiators are not as much of a burn threat when touched.


Oil-filled electric heaters also run nearly silently, as opposed to electric infrared heaters, which often use a fan to push the warm air into the room.

## SPACE HEATERS IN RENTALS

Portable space heaters of all types have inundated the consumer market because they are a potentially inexpensive way to provide comfort and warmth to specific, limited spaces within single rooms of a home. For many, these warming devices can make the difference between being healthy and comfortable or shivering through the winter.

But there is no denying that space heaters can be dangerous. In order to use these warming devices for their intended benefit and mitigate the danger, homeowners and renters must heed manufacturers' safety tips and recommendations for proper use.

Depending on what happens this year with proposed changes to the state sanitary code, issues around portable space heater use in rentals may soon be irrelevant if they are deemed unsuitable in defining habitable residences and therefore illegal.

Watch MassLandlords for ongoing updates on the state sanitary code. 

Point your camera app here to read more online.



# FAQ ABOUT SECURITY DEPOSITS

## from our Webinar

Some of our most-asked questions about security deposits, answered here.

### CAN I DEDUCT FOR MY TIME TO REPAIR AN APARTMENT? WHAT ABOUT MY EMPLOYEE'S TIME?

MGL Chapter 186, Section 15b reads, "The lessor may deduct from such security deposit for the following:

'a reasonable amount necessary to repair any damage caused to the dwelling unit by the tenant or any person under the tenant's control or on the premises with the tenant's consent, reasonable wear and tear excluded. In the case of such damage, the lessor shall provide to the tenant within such thirty days an itemized list of damages, sworn to by

the lessor or his agent under pains and penalties of perjury, itemizing in precise detail the nature of the damage and of the repairs necessary to correct such damage, and written evidence, such as estimates, bills, invoices or receipts, indicating the actual or estimated cost thereof."

The law specifically contemplates that the amount withheld may imprecisely correspond to the actual cost, such as a contractor estimate (with the actual amount not yet paid out) or an "estimated cost," perhaps including a landlord's own time. Two caveats:

First, note the requirement to provide "precise detail." You would need to show a timecard or other log, and would likely be expected to exclude the time to get to the property. You might also be asked to provide documentation showing that you or your employee were the most appropriate person to repair the damage. Billing eight hours of watching YouTube to learn how to perform basic carpentry would likely not be found reasonable.

Second, note that the law does not specify a landlord's wage. We have heard anecdotally that the only wage specified in the law is the minimum wage. It is unclear if a wage specified in the rental agreement would be upheld.

We teach that most landlords across the state will find their only certain path to withholding in hiring a third-party contractor who produces an unbiased third-party receipt or invoice for actual costs.

### CAN I KEEP THE LAST MONTH'S RENT IN THE SAME TENANT/ LANDLORD ACCOUNT AS THE SECURITY DEPOSIT?

No, keep them separate. The security deposit is the renter's money. The last month's rent is yours.

### THE TENANT HAS 15 DAYS TO RETURN THE APARTMENT CONDITION STATEMENT. IF THEY DO NOT RETURN THE STATEMENT, THEN WOULD THE LANDLORD CONSIDER EVERYTHING TO BE FINE WHEN THE TENANT MOVED IN?

Everything will be as written in the signed statement of condition. Don't leave room for doubt. It's best to say, "Nothing is broken, everything is in perfect shape."

### HOW DO I SEPARATE INTEREST FROM YEAR TO YEAR WHEN I'VE KEPT THE SECURITY DEPOSIT IN THE SAME ACCOUNT FOR A TENANT WHO HAS BEEN THERE FOR MANY YEARS?

You should withdraw interest in order to pay it out each year. If you haven't paid out all accrued interest, pay it all out now, including any effect from compounding.

You can transfer interest from the security deposit account to your business checking account for the purpose of making a payment.

### HOW DO YOU DEAL WITH AN OLD SECURITY DEPOSIT TO MAKE IT COMPLIANT?

An attorney would advise you to return the deposit and start over. An experienced landlord may wish to establish compliance going forward, and only return the deposit if any issues arise. A good-faith error should not eliminate the moral expectation that your apartment be returned in the same condition it was rented.

If your renters are renewing, you can create an entirely new tenancy. Return the old deposit and take a new one under fully compliant terms.



Think you're withholding a security deposit for this? Only if you have a condition statement.

### **I'M FULLY COMPLIANT AND MY TENANT'S LEASE IS RENEWING. DO I HAVE TO RETURN THE DEPOSIT?**

We have never seen it raised as an issue that a deposit from an ongoing tenancy was not returned. The best practice is to keep it in the original compliant account.

### **ARE YOU ALLOWED TO CHARGE A TENANT FOR ANY BANK FEES THAT ARE REQUIRED TO MAINTAIN THE ESCROW ACCOUNT?**

No.

### **IF THREE ROOMMATES WANT TO SPLIT THE SECURITY DEPOSIT AND EACH PAY A THIRD OF IT, HOW WOULD THAT WORK? WOULD YOU HAVE TO OPEN UP THREE SEPARATE ACCOUNTS, OR CAN ONLY ONE PERSON BE TIED TO THE SECURITY DEPOSIT?**

The law does not specify, and we are not aware any of case law. The most important thing is to hold the deposit away from your creditors and return the deposit in timely fashion. So, if the roommates have signed jointly and severally, you can probably put it under just one tenant's social security number. Just be sure to return it and collect a new deposit if that individual rotates out of the unit. Whoever gets the interest will get the tax statement.

Although tedious, it would be better to keep any money received from different individuals in different accounts under their respective social security numbers.

### **HOW DO LARGE COMPANIES THAT MANAGE 100-PLUS UNITS TEND TO STRUCTURE THEIR SECURITY DEPOSIT AND LAST MONTH'S RENT? DO THEY HAVE 200 DIFFERENT SECURITY DEPOSIT AND LAST MONTH'S RENT ACCOUNTS TO KEEP ALL THE FUNDS SEPARATE, OR IS THERE A WAY TO OVERLAP AND MITIGATE THE NUMBER OF ACCOUNTS TO TRACK?**

Large companies use what are called deposit escrow subaccounts, such as what is offered by Avidia Bank in Hudson and others (DESA). This creates the correct ownership structure while still permitting online access and instant account setup.

The last month's rent is yours; you can keep that wherever you want.

### **REGARDING THE AMOUNT OF THE SECURITY DEPOSIT BEING THE AMOUNT OF THE FIRST MONTH'S RENT — DOES THAT MEAN THAT IF THE RENT IS RAISED IN THE FOLLOWING YEARS, THE SECURITY DEPOSIT SHOULD STAY AT THE ORIGINAL AMOUNT AND CANNOT EVER BE INCREASED?**

Yes. We recognize that it is common practice to increase the amount of the deposit as rent increases over time. The only way to effect this is to end the first tenancy and collect a new security deposit under a new tenancy.

### **WHAT IF THE TENANT REFUSES TO GIVE YOU A W-9 AND YOU CAN'T OPEN THE ACCOUNT? WHAT IF THEY HAVE NO SOCIAL SECURITY NUMBER?**

If you do not collect social security numbers as part of your normal application process, do not collect a security deposit. If you collect social security numbers as part of your normal process, and the potential tenant declines to provide you with their number, you may decline to pursue their rental application.

There is one exception: International students and a limited number of others will not have a social security number for legitimate reasons. You should not decline to pursue these applications, as it may open you to claims of discrimination on the basis of national origin. You can still take a security deposit. Have the applicant complete form W-8BEN. A good bank will be able to open a security deposit account for you as if they had received a W-9. Applicants who decline to provide a social security number they have may not complete a W-8BEN. The form only works for individuals who are not eligible for social security numbers.

### **IF YOU DO EVERYTHING PROPERLY, BUT DO NOT SEND THE ANNUAL STATEMENT, WHAT IS THE PENALTY?**

The penalty is three times the amount of the deposit, plus attorney's fees.

### **IF MY TENANT STAYS FOR A SECOND YEAR AT MY PROPERTY, SHOULD I PAY THEM THE INTEREST AFTER THEIR FIRST YEAR, OR AT THE END OF THEIR SECOND YEAR OF TENANCY?**

Pay interest at the end of each year of tenancy. In this scenario, you will pay interest twice.

### **IF INTEREST IS ONLY 3-5 CENTS, CAN WE JUST EXPLAIN ON THE PHONE THAT WE'RE KEEPING IT AND SEE IF THAT WORKS? IT DOESN'T MAKE SENSE TO PAY 3-5 CENTS OF INTEREST EVERY YEAR IF A TENANT RENEWS FOR 2-PLUS YEARS.**

The law does not make sense; the approach described would not be legally compliant, and you would be exposed to triple damages plus attorney's fees if your tenant took you to court. Pay the interest each year.

### **MAY THE LANDLORD HAVE THE TENANT SIGN A DOCUMENT ALLOWING THE INTEREST TO REMAIN IN THE ACCOUNT UNTIL THE END OF TENANCY? WHAT IF THE TENANT WANTS TO, AND INSISTS?**

No, a renter cannot sign away their rights under any statute. MGL Ch 186, Section 15b specifically says the following: "Any provision of a lease which conflicts with any provision of this section and any waiver by a tenant or prospective tenant of any provision of this section shall be deemed to be against public policy and therefore void and unenforceable."

### **ARE THERE ANY PENALTIES IF YOU DO NOT PROVIDE TENANTS A RECAP OF THEIR DEPOSIT INTEREST AFTER A YEAR?**

Yes, the penalties are triple damages, plus attorney's fees.

### **IS THERE A FORM SECURITY DEPOSIT RECEIPT LETTER IN THE MASSLANDLORDS LIBRARY THAT WE CAN PRINT OUT?**

Yes, there are five security deposit forms: One for when you first take the money, a second for when you put it

in a compliant bank, a third for the conditions statement, a fourth for the annual statement and a fifth example withholding letter. These forms are all members-only content.

### **WHAT HAPPENS IN THE EVENT THAT THE TENANT DOES NOT PROVIDE A FORWARDING ADDRESS POST-TENANCY?**

The best practice recommended by one judge is to put the deposit in the form of a cashier's check or other guaranteed form, mail the check to last and usual address (to your apartment), and hope mail forwarding catches it. If not, pick the envelope out of the unit's mailbox and save it, unopened, for many years (there is no timeframe or case law that we know of saying how long is adequate).

### **IS THERE A STATUTE OF LIMITATIONS? IF YOU MUST HOLD RECORDS FOR 2 YEARS, DOES THAT MEAN THAT A TENANT ONLY HAS 2 YEARS TO PURSUE A LANDLORD IN COURT? IF NOT, THEN HOW LONG DOES A TENANT HAVE TO SUE A LANDLORD FOR SECURITY DEPOSIT VIOLATIONS?**

The limitation period for claims arising under MGL Ch 93A is four (4) years. Because the Attorney General's regulations make it a violation of Ch 93A to violate any provision of the security deposit statute, landlords should work on the assumption that the tenant has at least 4 years to bring a claim.

### **FOR THE 30-DAY TIMELINE THAT THE LANDLORD HAS TO RETURN THE BALANCE OF THE SECURITY DEPOSIT AND/OR ITEMIZATION OF DAMAGES, DOES THE LANDLORD JUST HAVE TO PROVE THAT THE SECURITY DEPOSIT WAS DISPATCHED TO THE TENANT (MAILED, FAXED, ETC.) WITHIN 30 DAYS (PROOF OF SERVICE), OR MUST IT ACTUALLY BE RECEIVED BY THE TENANT BY THE END OF THAT 30 DAYS?**

The law says, "The lessor shall, within thirty days after the termination of occupancy under a tenancy-at-will or the end of the tenancy as specified in a

valid written lease agreement, return to the tenant the security deposit or any balance thereof; provided, however, that the lessor may deduct from such security deposit". The statute is not clear, but the context from other situations (especially where no forwarding address is given) is that the landlord must make a provable effort to return it, but does not need to prove receipt.

### **SUPPOSE A STATEMENT OF CONDITION WERE SIGNED BY A LANDLORD AND TENANT AS PART OF A SIGNED LEASE THAT MIGHT NOT HAVE THE TENANT TAKE OCCUPANCY FOR SEVERAL MONTHS. SHOULD THE LANDLORD RE-EXECUTE A STATEMENT OF CONDITION WITH THE SAME TENANTS WHEN THE TENANT ACTUALLY MOVES IN (OR WITHIN 15 DAYS), THUS VOIDING THE FIRST SIGNED STATEMENT OF CONDITION THAT WAS SIGNED BY LANDLORD AND TENANT A FEW MONTHS BEFORE?**

In this scenario, do not issue the Conditions Statement when you take the deposit. The law reads, "Any lessor of residential real property, or his agent, who accepts a security deposit from a tenant or prospective tenant shall, upon receipt of such security deposit, or within ten days after commencement of the tenancy, whichever is later, furnish to such tenant or prospective tenant a separate written statement of the present condition of the premises to be leased or rented."

Issue the conditions statement on the later date only.

### **I MESSED UP AND I WANT TO RETURN MY DEPOSIT BEFORE THE START OF LITIGATION. HOW IS "THE START OF LITIGATION" DEFINED, SO THAT WE CAN RETURN THE SECURITY DEPOSIT BEFORE TRIPLE DAMAGES TRIGGERS? FOR EXAMPLE, DOES FILING THE SUMMARY PROCESS QUALIFY AS THE START OF LITIGATION?**

Speak with an attorney. Best practice: Return it before you take any legal action, or upon first receipt of any legally significant notice.

### **I OWN A SMALL APARTMENT BUILDING (12 UNITS) AND IT'S IN A TRUST. CAN YOU PUT THE SECURITY DEPOSIT IN AN ESCROW ACCOUNT FOR THE TRUST, OR DOES IT HAVE TO BE UNDER EACH INDIVIDUAL TENANT'S NAME/ SOCIAL SECURITY NUMBER?**

The law reads, "Any security deposit received by such lessor shall be held in a separate, interest-bearing account in a bank, located within the commonwealth under such terms as will place such deposit beyond the claim of creditors of the lessor, including a foreclosing mortgagee or trustee in bankruptcy, and as will provide for its transfer to a subsequent owner of said property."

If the trust account meets all of these criteria (which it may, if it is irrevocable), then it would seem to comply. Check with an attorney if you are not sure.

### **ARE THESE REGULATIONS FOR COMMERCIAL PROPERTIES?**

No, these regulations apply to residential rental units only.

### **DO YOU HAVE TO PAY INTEREST ON THE LAST MONTH'S RENT?**

Sometimes. The statute reads, "Any lessor or his agent who receives said rent in advance for the last month of tenancy shall, beginning with the first day of tenancy, pay interest at the rate of five per cent per year or other such lesser amount of interest as has been received from the bank where the deposit has been held." So, if you put the money in an interest earning account, you need to pay that interest or 5%, whichever is less.

The case *Gallo v Marinelli* established that there is no requirement to place the money in an interest-bearing account, and that the last month's rent is the landlord's money (in principle). If no interest is received by the bank, then none is owed.

### **WHAT IF AN ANNUAL INTEREST PAYMENT IS SENT TO A TENANT BUT THEY DO NOT DEPOSIT THE CHECK? WE HAVE PROOF OF PAYMENT SENT.**

Keep records. Best practice is to pay cash, or use an electronic debit system under the landlord's control, to debit rent less interest.

# MEMBERSHIP BENEFITS



## RENTAL FORMS

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



## LEGAL STANDING

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



## NEWSLETTERS

In-depth news, tips and tricks emailed monthly.



## HOME DEPOT SAVINGS

20% off paint; purchases over \$1,000 eligible for price reductions; concierge services for larger jobs.



## SERVICE PROVIDER DIRECTORY

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



## VIDEOS, ANALYSIS, & SPREADSHEETS

Watch past events, learn about the laws, and access spreadsheets you can build on like our CFL vs LED ROI calculator.



## MESSAGE BOARDS

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



## HOME BASE

Preferred pricing and name tag at dinner meetings.



## EVENTS

Monthly networking and education at events state-wide.



## COLLECT CHECKS ONLINE

Never bounces, reports for credit, members get first tenant free for a year via RentHelper.



## CREDIT SCREENING COUPONS

Save on SmartScreen credit reports.



## ENTITY FORMATION SAVINGS

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

**IF YOU HAVE OPEN SECURITY DEPOSITS BUT HAVE NOT PAID ANNUAL INTEREST, HOW DOES A LANDLORD GET BASELINED? SHOULD THEY SEND ALL TENANTS ACCRUED INTEREST ALONG WITH A STATEMENT? WHAT ABOUT JUST RETURNING THE ENTIRE DEPOSIT, PLUS ACCRUED INTEREST? WOULD THAT REMOVE ANY RISK?**

The only legally complete way to baseline is to return the original deposit and sign a new rental agreement to collect a new deposit. The business decision to be made is whether you have litigation risk. If your renters are happy and likely to remain so, then pay all interest now, start using correct accounts and statements going forward, and be prepared to return the deposit upon request.

**CAN THE TENANT UNILATERALLY WITHDRAW FUNDS FROM THE SECURITY DEPOSIT ACCT?**

If properly configured by the bank, no. In the event of your incapacity or death, the renter would need to present that evidence to the court for an order to take to the bank to get their deposit back.

**I HAVE TENANTS THAT JUST MOVED IN AND PAID A HALF SECURITY DEPOSIT. WE WERE GOING TO COLLECT THE REMAINING HALF OVER THE COURSE OF OUR RENTAL AGREEMENT. IS THAT ALLOWED?**

Yes, just make sure it is in the rental agreement.


**WHAT DOES "TREBLE DAMAGES MEAN" DOES THAT MEAN "TRIPLE DAMAGES"?**

Yes, as used in the webinar and on this site, "treble damages" means three times the amount of the deposit.

**IS A NATIONAL BANK LIKE BANK OF AMERICA ACCEPTABLE FOR SECURITY DEPOSITS?**

This is gray area. It's better to pick a bank chartered locally in Massachusetts.

**HOW DO YOU GET THE UNPAID RENT IF YOU CAN'T TAKE IT FROM THE SECURITY DEPOSIT?**

You can. A security deposit can be used to pay unpaid rent, unpaid water bills, unpaid tax escalation and property damage, provided the rent was not lawfully withheld (e.g., claiming uninhabitable conditions). Do not withhold from the deposit until after the tenancy has ended. 

Point your camera app here to read more online.



## 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. Broggi R.E. & Property Mgmt Inc. Catherine Jurczyk. CC&L Properties, LLC. Darlene Musto. Eastfield Family Trust. Geri Ledoux. Glenn Phillips. JD Powers Property Management LLC. Kee 55, Inc. Agency Account C/O Ercolini. Patty Eksuzian. Ann Eurkus. Margaret Forde. Doug Quattrochi. Real Property Management Associates. Realty Trust. Rob Barrientos. Scott Cossette. Stuart Warner. Topaz Realty Trust. 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. Tara Pottebaum. Alexa Zaccagnino. Jo Landers. Mike Hempstead. JMG Realty & Investments. Snaedis Valsdottir. Tomaltach O'Seanachain Realty Trust. Jonathan Siegel.

### 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). 



## Schedule Calls With Our Staff for Business Advice and Legal Information

**For Just  
\$90/HR**

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

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

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

Details and Prepayment:

<https://masslandlords.net/membership-confirmation-helpline/>

# SPEAK AT ONE OF OUR EVENTS



**LOG ONTO**

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

**& Fill out Form to Submit a Speaker Request**

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

# REGIONAL



## 2020 MARCH

Upcoming events  
See details under each region

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 Southbridge 7:00pm-9:00pm	3	4 Waltham 6:00pm - 9:00pm	5 Fitchburg 6:45pm-9:00pm	6	7
8	9	10 Marlborough 6:30pm-9:00pm	11 Worcester 5:30pm - 8:30pm	12 Longmeadow 5:30pm - 8:30pm	13	14
15	16	17 Cambridge 5:30pm-8:30pm	18	19	20	21 Crash Course 8:30am-2:30pm
22	23	24	25	26	27 Webinar 12:00pm-1:00pm	28
29	30	31				



## 2020 APRIL

Upcoming events  
See details under each region

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

## STATEWIDE

## Webinar: Emotional Support Animals

FRI  
03/27

Emotional support animals and service animals are a needed and valuable help for those of us living with a disability. But some unscrupulous individuals seem ready to **abuse this protection**, parading what seems like an ordinary pet through our rental application and right into our “no pets” apartment. What are landlords supposed to do to protect their property and also a renter’s rights when someone says they have a support animal? **What’s the correct terminology to use?** And what would land us in hot water for discrimination if we’re not careful? We’ll be overing this and more.

HUD Guidance was recently issued, we’ll be looking at whether it changes anything or is more of the same.



Emotional Support Animals



Attorney Adam Sherwin

This webinar will be given by MassLandlords Crash Course instructor and Attorney Adam Sherwin.

## FRIDAY, MARCH 27TH

12:00pm Webinar Begins  
1:00pm Webinar Ends

## REGISTRATION

Open to the public. Membership is not required!

- Public: \$6
- Members: \$3

Upon purchasing, you will be registered. A password for the webinar will be sent day-of. Registrants will also have **full access to the recording** to watch or rewatch any time after the webinar is completed.

## ZOOM WEBINAR

<https://zoom.us/j/705097719>

Password will be emailed to registrants immediately upon registration. Check your spam.

Or iPhone one-tap :

US: +16468769923,,375967313# or  
+16699006833,,375967313#

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: 705 097 719

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

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

The webinar counts for continuing education credit for Certified Massachusetts Landlord Level Three.

## BERKSHIRE COUNTY

## Pittsfield: No March or April Meeting

Our next event will be held Tuesday, May 19th from 6:00p to 9:00p at Zucchini’s Restaurant in Pittsfield. The topic will be economic opportunity zones.

## BOSTON, CAMBRIDGE, SOMERVILLE

## Cambridge: Deleading Overview

TUE  
03/17

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.

This part of the presentation will be given by MassLandlords staff.



Learn about Deleading

[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, MARCH 17TH

### 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 Deleaving Overview

7:40pm Networking; this event will end early in observance of Evacuation Day; attendees may reconvene downstairs at Shy Bird for socializing

8:30pm 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 next street.
- Cross over Broadway to arrive at One Broadway.

### 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  
04/21

Our April meeting will be held Tuesday, April 21st, 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](http://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 homelessness 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).

## Worcester: Buying or Selling Occupied Property, Tenant Screening Overview

WED  
03/11

### Part I: Buying or Selling Occupied Property

This presentation will go over the essentials of buying or selling occupied property, in other words, leased rentals. We will look at all aspects of the process:

- Offer stage – what to include
- Due diligence – what rental documents to request from owner/seller
- P&S – ensuring correct terms
- Closing ensuring transfer of last month's rent and security deposits
- Post closing – starting off relationships with new tenants on the right foot

These best practices ought to be known by all brokers and REALTOR's, but in practice some don't. And even if yours does, it's always a good idea as the incoming or outgoing owner to know enough to supervise. Security deposit liability, for instance, lies with us even if our agents do not comply.

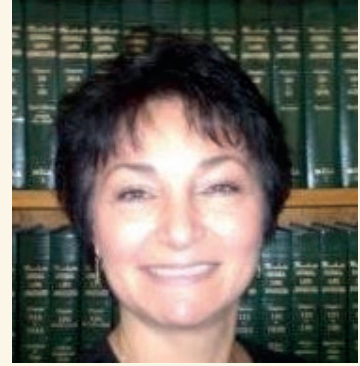
This part of the presentation will be given by Attorney Michele Kasabula, MassLandlords Board of Directors.

### Part II: Tenant Screening Overview

Credit, criminal, eviction history. What can we check and what does it mean? This segment will review all of these factors, as well as give a comprehensive look at discrimination protections. We'll show you how to protect your assets while also giving equal housing opportunity to all.

We will cover age discrimination and emotional support animals so you know when you can take a photo ID and how to verify requests for reasonable accommodation.

This part of the presentation will be given by MassLandlords staff.



Buying or Selling Occupied Property with Attorney Michele Kasabula



Tenant screening includes looking at information renters provide as well as third party data sources

### 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.

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**WEDNESDAY, MARCH 11TH****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 Grille6:40pm 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 Introduction7:05pm Buying or Selling  
Occupied Property

7:40pm Tenant Screening Overview

8:30pm Networking and  
one-on-one follow-up

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 member-  
ship 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: Sanitary Code Review, Tour of MassLandlords Benefits, Security Deposit Escrow Subaccounts

**Part I: Sanitary Code Review**

We will select different parts of the state  
sanitary code and review the require-  
ments on rental housing. Audience  
participation is encouraged by not  
required, tell us what you want to know  
about! And we will pull up our prepared  
summaries of the actual code for that  
topic. We can also select topics at  
random from among a wide range:

- Electrical safety
- Water temperature
- Square footage requirements
- and much more

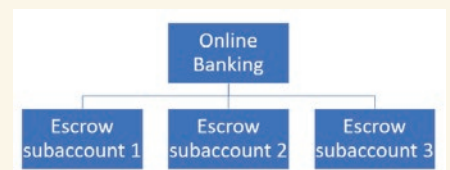
This part of the presentation will be  
given by MassLandlords Staff

**Part II: Tour of  
MassLandlords Benefits**

Did you know we have over a dozen  
publicly listed member benefits? And  
we have a couple well kept secrets,  
as well. This part of the presentation  
will be a review of MassLandlords  
benefits and show you where to go to  
learn more. There will be particular  
emphasis on self-serve features available  
via the website.

**Part III: Security Deposit  
Escrow Subaccounts**

Professionals know that security deposits  
need to be held **“beyond the claim of  
creditors of the lessor.”** Does this mean  
we have to open an account under **each  
renter’s social security number** using  
a W-9? Not exactly. We will discuss  
security deposit escrow subaccounts,  
which are tools available to landlords  
large and small for holding many  
different security deposits compliantly  
via online banking under one master  
account you control.

**Tour of MassLandlords Benefits****Security Deposit Escrow Subaccounts****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

WED  
04/08

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, APRIL 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 Review of State Sanitary Code

7:30pm Tour of MassLandlords Benefits

7:45pm Security deposit escrow subaccounts

8:30pm Networking and one-on-one follow-up

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.](#)

## CHARLES RIVER (GREATER WALTHAM)

### Waltham: Trivia in the Style of Jeopardy

WED  
03/04

Tonight will be landlord trivia night with categories in the style of Jeopardy! (We <3 you, Alex!). Categories include:

- Put it in Writing,
- Order in the Court,
- Landlording 101,
- Were you Paying Attention, and
- MassLandlords Masterpiece Theatre with amateur acting and useful case studies,

among others. Attendees will be competing for bragging rights. Test your knowledge and have some fun with landlord-tenant law and business practice.

This segment will be run by Paul Harris of Drew Management Corporation and Charlie O'Neill of Charles River Properties.

Alphabet Soup	No Vacancy!	Legalese	Property Odds & Ends	"But I never inhaled"	POA's and RHA's
\$200	\$200	\$200	\$200	\$200	\$200
\$400	\$400	\$400	\$400	\$400	\$400
\$600	\$600	\$600	\$600	\$600	\$600
\$800	\$800	\$800	\$800	\$800	\$800
\$1000	\$1000	\$1000	\$1000	\$1000	\$1000

### Trivia in the Style of Jeopardy

Purchase your ticket in just a few clicks!

### “No Sales Pitch” Guarantee

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**WEDNESDAY, MARCH 4TH****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 Helpline Advisor Peter Shapiro 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 Trivia

7:50pm Networking

**LOCATION**

The La Cava Center at Bentley University, Third Floor

175 Forest St

Waltham, MA 02452

**GETTING THERE AND PARKING**

Lots of **free 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.

Very easy venue to get to once you've seen it. Short walk from the lot to the door.

**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! This event is being subsidized by earmarked member donations.

Door:

Public: \$34 \$24

Members: \$29 \$19

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

Public: \$32 \$22

Members: \$24 \$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](#).

**GREATER SPRINGFIELD**

## Longmeadow: Buying or Selling Occupied Property, Member Choice

THU  
03/12

**Part I: Closing Occupied Property**

This presentation will go over the essentials of buying or selling occupied property, in other words, leased rentals. We will look at all aspects of the process:

- Offer stage – what to include
- Due diligence – what rental documents to request from owner/seller
- P&S – ensuring correct terms
- Closing ensuring transfer of last month's rent and security deposits
- Post closing – starting off relationships with new tenants on the right foot

This part of the presentation will be given by Attorney Marissa A. Komack. Her practice concentrates in the buying, selling and refinancing of residential and commercial properties. She is a member of the Longmeadow Zoning Board of Appeals.

**Part II: Member Choice TBA**

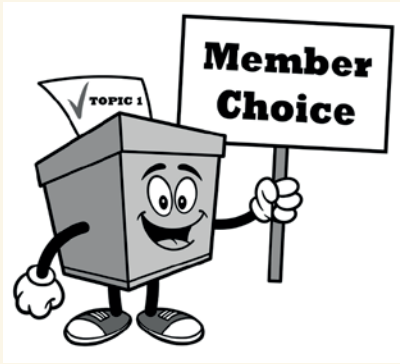
We're holding this slot for educational content requested by members. What questions have you had lately? Know someone who would make a great speaker without a sales pitch?

Suggest topics by emailing us [hello@masslandlords.net](mailto:hello@masslandlords.net).

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



Attorney Marissa A. Komack



**You Decide:** Tell us which topic you need for this presentation, suggest and vote on ideas

Purchase your ticket in just a few clicks!

### “No Sales Pitch” Guarantee

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### THURSDAY, MARCH 12TH

#### RHAGS MEETING AGENDA

5:30pm Sign-in and Networking

- o Cash bar
- o 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 Members Choice

7:35pm Buying or Selling  
Occupied Property  
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](#).

## Springfield: The MassLandlords Crash Course in Landlording

SAT  
03/21

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 Peter Vickery**

### 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, MARCH 21ST, 2020

#### 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

#### 11:20am – Rental Forms

- o Lease vs Tenancy at Will
- o iCORI
- o Eviction notices

#### 11:55am – 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

#### 12:10pm – Break and Lunch, with free form Q&A

#### 12:55pm – Legal Matters finish

#### 1:30pm – 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

#### 2:10pm – Overview of books and resources for further education

#### 2:15pm – Review of unanswered questions

#### 2:30pm – End

Please note that end time may vary based on questions.

### LOCATION

Realtor Association of Pioneer Valley  
221 Industry Ave  
Springfield, MA 01104

### 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.

## Greater Springfield: Networking and Training

SAT  
04/09

Our monthly event will be held Thursday, April 9th from 5:30p to 8:30p. Although the topic may be TBD, you can still bookmark your calendar for this premier real estate networking and training event in Greater Springfield. Check [MassLandlords.net/events](https://MassLandlords.net/events) for speakers and topics.

### LAWRENCE, METROWEST

## Marlborough: Advocates and Electronic Filing

TUE  
03/10

### Part 1: Advocates

Attendees will learn how Advocates work and what they do to help tenants. This part of the presentation will be given by Adrienne Cassidy.

### Part 2: Electronic Filing

Join us for a presentation by Attorney Mark Burrell concerning Electronic Filing and the common mistakes made by landlords.

Mark Burrell is a seasoned Landlord/Tenant attorney and has the unique perspective to look at your situation from the eyes of the defendant's attorney. Besides knowing the ins and outs of what to look for in possible glitches to your Security Deposit accounts that may trip us up as landlords; Attorney Burrell is a great storyteller and we are sure you will be entertained at this event.

### TUESDAY, MARCH 10TH

#### 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](mailto: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: Networking and Speaker

TUE  
04/14

Our April event will be held Tuesday, April 14th from 6:30p to 8:30p at the Fish and Game Club in Marlborough. Although the topic may be TBD, you can still bookmark your calendar for this premier real estate networking event in MetroWest. Check back later for speakers and topics.

### NORTH SHORE, NORTHERN WORCESTER COUNTY

## Fitchburg: Small Deals for BIG PROFITS: Leveraging small multi-family apartment buildings into a wealth building strategy

THU  
03/05

Join us for a presentation by NWCLA PLATINUM SPONSOR Brian Lucier, Manager of Belaire Property Management LLC.

Find out from Brian some of his different investment strategies. Learn how by buying small triplex residential rental properties, his team was able to leverage many small deals into a real estate investment empire worth millions of dollars.

Brian will walk you through the humble beginnings of his investment career up to present day acquisitions and business planning. Guaranteed to be an eye-opening experience for the novice and seasoned investors alike. You will not be disappointed.



### THURSDAY, MARCH 5TH

#### NWCLA MEETING AGENDA

Visit [nwcla.com](https://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 Presentations

### 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: Electronic Filing

THU  
04/09

Join us for a presentation by Attorney Mark Burrell concerning Electronic Filing and the common mistakes made by landlords.

Mark Burrell is a seasoned Landlord/Tenant attorney and has the unique perspective to look at your situation from the eyes of the defendant's attorney. Besides knowing the ins and outs of what to look for in possible glitches to your Security Deposit accounts that may trip us up as landlords; Attorney Burrell is a great storyteller and we are sure you will be entertained at this event.



We meet at the lovely and comfortable Monty Tech

**THURSDAY, APRIL 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 Presentations

**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.

**SOUTHERN WORCESTER COUNTY**

## Southbridge: Speaker and Networking

MON  
03/02

Our monthly training and networking event will be held on the first Monday of the month. Speaker details are TBD but you can be sure of great conversation and small group discussion.



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

**MONDAY, MARCH 2****SWCLA MEETING AGENDA**

7:00p MassLandlords Business Update  
7:10p Guest Speaker  
7:45p Pizza break  
8:00p Meeting wrap-up  
8:30p Networking

**LOCATION**

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

**FOOD**

Pizza and Beverages

**PRICING**

Open to the public for your first time! Membership not required for your first time.

- Members are admitted for free
- General public free the first time, then pay \$50/yr for membership.

This event is operated by volunteers.

**Southbridge:  
Networking and  
Topic TBD**

MON  
04/06

Our monthly event will be held Monday, April 6th 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.



Champagne

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[WWW.MASSLANDLORDS.NET/PROPERTY](http://WWW.MASSLANDLORDS.NET/PROPERTY)

MassLandlords  
One Broadway, Floor 14  
Cambridge, MA 02142

## **SUBSCRIBE TODAY**

Perfect to share at the office.  
Membership + print delivery \$190 per year  
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\$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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