



NOVEMBER 2019

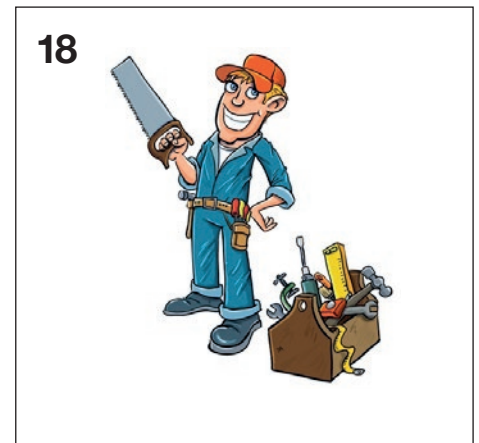
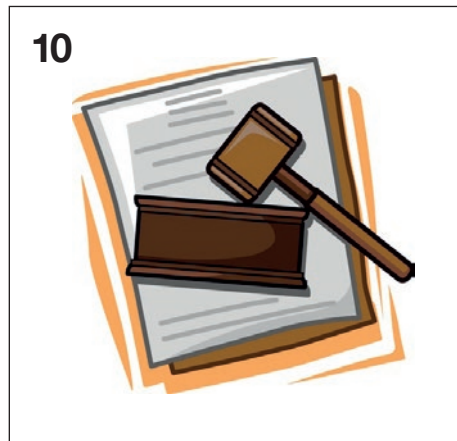
Attorney Schrier Discusses
**THE TENANT PROTECTION
ACT AKA RENT CONTROL**

**NEW CONTRACTOR
FORM** Could Help You
on Your Next Project

ZONING PART 2:
Home, the Forbidden
Zone; Our Zoning
Regulatory Framework

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LETTER FROM THE EXECUTIVE DIRECTOR

Certification is Live

IN THE LETTER FOR NOVEMBER 2019 WE ANNOUNCE THE LAUNCH OF CERTIFICATION, DISCUSS THE RENT CONTROL RALLY, AND LOOK AHEAD TO ELECTIONS NEXT MONTH.

November starts with four new accomplishments: the Certified Massachusetts Landlord Level One™ is now live, our two new staff writers have published, we weighed in against the Boston rent control rally, and our annual elections will be next month.



Our first-in-the-nation state specific certification is now live, complete with a professional profile you can create. To certify, visit MassLandlords.net/certification and follow the prompts to commit to a set of best practices. These best practices were developed by participants at events in three locations: Pittsfield, Springfield, and Waltham, as well as members and others who weighed in electronically from around the state. (The best practices can be updated as needed, tell us what you think!)

Before you can certify you will need to create a public professional profile. You can put as little information in your professional profile as you want, but know that renters or others who want to verify your certification will hope to see some corroborating details, like a picture, an address or a phone number.

Note that the certification is currently for individuals only. So if you wish to be recognized, you can be recognized as a sole proprietor or employee, etc., but not as your LLC; (entity certification will come later.) Level One is the foundation, onto which we will build Level Two, the exam, which will launch in January.

Our policy work continues apace. Two new writers, Eric Weld and Kim Harper Rau, have made contributions in this edition. A rally in favor of rent control was held in Boston, and for the first time the associated press called us for comment. We pointed out rent control's fatal flaws, as we have detailed on our site at MassLandlords.net/policy/rent-control.

We are a democratically governed 501(c)6 nonprofit trade association, and each year our form of term limits compels us to elect a new director. If you are interested in getting involved, please start volunteering at your local chapter to help plan events or keep abreast of municipal politics. You can nominate anyone (including yourself) for state-wide board by emailing hello@masslandlords.net.

Tell a friend about certification. If you wish to help us be more effective advocates, please at your earliest convenience review the best practices at MassLandlords.net/certification and sign our pledge. Certification is the next, exciting step in our mission to create better rental housing in Massachusetts.

Sincerely,

Douglas Quattrochi

Executive Director

MassLandlords, Inc.

Zoning Part 2: HOME, THE FORBIDDEN ZONE; OUR ZONING REGULATORY FRAMEWORK

By Peter Vickery, Esq. Legislative Affairs Counsel

Massachusetts zoning is enacted via MGL Chapters 40A, 40B, and 41.

Zoning in Massachusetts is regulated by cities and towns via the authority granted to them in M.G.L c. 40A, 40B, and 41. It's important to consider what people used to expect from their communities prior to the passage of these laws, and how these laws constrain us today.

LIVING THE DREAM

Place matters. Where we are — our physical setting — affects how we feel

about ourselves and the people around us, even when we are oblivious to what it is, exactly, that is producing these feelings. Some places put us on edge. Others (usually quiet places without cars, neon, and LED) have a very different effect, tending to make us feel comfortable and at home whether we have been there before or not. They induce a feeling of poignancy, something akin to nostalgia, a sense of belonging and wanting to stay.

If you have ever visited Old Sturbridge Village in Worcester County, Massachusetts, or Colonial Williamsburg in Virginia, you may have experienced

this sensation, knowing that you are in a place of metes and bounds, rods and furlongs, woodsmoke and livestock, of things carved, stitched, or wrought by hand and paid for with heavy coins. The buildings and the spaces between them feel right. Pretty much wherever you go you can see the few landmarks (bridges, barns, and steeples) so you know that it would be hard to get lost. There is joy deep inside as you soak in the beauty of a place where the houses look like homes; where people work and dwell in the same space; where trees grow along the sidewalks; and where the plots, gardens, and fields are marked off from one another by wooden fences, stone walls, and hedgerows. You sense harmony and deep roots, and feel a profound conviction that this is how a town—a hometown—should be.

For the good of your heart and soul, you should think about that place. Just don't try building it. The planning board won't let you.

SOMEWHERE OR ANYWHERE, BUT NOWHERE

That jarring realization of zoning's stifling effect will come to any reader of James Howard Kunstler. Given to presenting his opinions in a manner that one could most generously describe as forceful, Kunstler is the author of several books on the subject of the built environment and zoning, including *The Geography of Nowhere: The Rise and Decline of America's Man-Made Landscape*; *The City in Mind: Notes on the Human Condition*; and *Home from Nowhere: Remaking Our Everyday World for the 21st Century*.



This colonial house in Old Sturbridge Village lacks the required parking to be permitted today. Nevermind there are no cars intended to travel on this street, the building and the neighborhood could not be built anywhere in Massachusetts today. CC-BY-ND Massachusetts Office of Tourism.

Kunstler has long pondered the reasons why so many places look the same (drive across the country, look out the car window, and much of the time you could be anywhere). Such sameness instills ennui in the individual and anomie in society as a whole. He has concluded that one of the biggest culprits is zoning.

In an episode of his podcast, KunstlerCast, he discusses the evolution of zoning from its origin as a response to the health effects of heavy industry to its current manifestation that segregates residences from retail stores (effectively classifying shopping as “an obnoxious industrial activity that nobody should be allowed to live anywhere near”) thereby encouraging strip malls, gutting the traditional downtown Main Street, and requiring people to drive everywhere. Sprawl, smog, suburban seclusion: name the blight, zoning made it (or made it worse) says Kunstler.

For a taste of Kunstler’s writing, try his article from the September 1996 issue of

the *Atlantic* magazine, in which he makes a memorable proposal for dealing with zoning bylaws:

“Don’t revise them — get rid of them. Set them on fire if possible and make a public ceremony of it.”

Certainly, Kunstler exaggerates for effect. But is zoning really so bad that we should put a metaphorical match to it? After all, the modern purpose of zoning (putting to one side its partly racist origins) is ostensibly to protect the health, safety, and welfare of the public as a whole. It can help preserve green space, historic buildings, and cultural features. And rules differ from community to community thereby creating choices: If you don’t like the way they do things in Town A, move across the line to Town B where they do things differently. But if state law limits the zoning differences, it also limits people’s choices.

Before deciding whether to follow Kunstler’s advice and build a bonfire of

the bylaws, let’s learn a little more about the basics of zoning in Massachusetts.

THE DILLON RULE AND HOME RULE

In 1868 John F. Dillon, a justice of Iowa’s highest court, stated that municipalities derive their power from the legislative bodies of the State. The Supreme Court of the United States endorsed that view in 1907.

Under the Dillon Rule, Massachusetts towns have only as much power as the State Constitution and the Legislature grant them. In 1966 the voters ratified article of amendment 89 to the State Constitution (titled the Home Rule Amendment). Section 6 provides that any city or town may “exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the constitution or laws enacted by the general court in conformity with powers reserved to the general court by section eight, and which is not denied, either expressly or by clear



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implication, to the city or town by its charter.” The main power reserved to the Legislature by section eight is the power to enact laws that apply to all towns and cities of the Commonwealth equally (such as the power to levy taxes and borrow money) unless a particular community asks the Legislature for a special law that will apply to it alone.

What does this mean in the context of zoning? Municipalities are allowed to enact their own rules (called ordinances in cities and bylaws in towns) but only within the parameters set by the Legislature in the Zoning Act, M.G.L. c. 40A, the most revised version of which took effect in 1976. This statute establishes the zoning framework for all Massachusetts communities except Boston, which has its own law called the Boston Enabling Act.

CHAPTERS 40A AND 41

Zoning bylaws and ordinances differ from community to community, but what most of them have in common is complexity. Each municipality's zoning consists of maps of the various zoning districts (e.g. residential, commercial, industrial), a chart of uses, and a chart of dimensional requirements. There may also be overlay districts, superimposed on the underlying districts. Together, these components are supposed to promote a variety of concerns, such as fire safety, water supply, aesthetics, and conservation. They may also contain additions designed to promote mixed use (such as a mixture of multi-family housing together with retail, restaurants, and offices) and to encourage affordable housing, e.g. “inclusionary zoning” provisions.

The Zoning Act prescribes the way a municipality can adopt and amend its zoning rules, grant variances and special permits, and handle appeals.

Some uses are allowed “by right” or “as of right” and do not require discretionary review by the local permit-granting body. Even if a particular project is not allowed by right, the owner of a piece of property (or someone who is about to buy it) can apply for a special permit.

For example, an owner may want to build housing that would be denser than allowed in the particular zoning district. They will need to apply for a special

permit under section 9 of the Zoning Act. Section 10 governs variances, i.e. deviations from a particular requirement of the bylaw/ordinance, and sets a high bar for applicants. A “person aggrieved” by a decision about a special permit or variance has 20 days to appeal, starting from the day the decision is filed with the town/city clerk. For a detailed description of special permits and variances, check out Attorney Richard Vetstein's Mass Real Estate Law Blog [posts](#) on the subject.

Section 32 of the Zoning Act provides that before a new zoning bylaw/ordinance can take effect the municipality has to obtain approval from the Attorney General. Section 3, known as the Dover Amendment, contains a special rule for religious organizations and nonprofit educational institutions, and says that zoning ordinances and bylaws are not allowed to:

“prohibit, regulate or restrict the use of land or structures for religious purposes or for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements.”

A separate statute, the Subdivision Control Act (M.G.L. c. 41) regulates the way property owners go about subdividing of parcels of land into building lots.

Together, the Zoning Act and the Subdivision Control Act provide ways for local governments to control the pace of development, population density, and the intensity of uses. For example, communities can encourage pricier housing so as to preserve property values (and simultaneously deter affordable housing) by way of zoning rules that make it more expensive to build houses, e.g. minimum lot sizes, minimum frontage, and set-back requirements.

CHAPTER 40B

Because of the way zoning can keep housing prices high, the Legislature enacted a third statute, the Comprehensive Permit Act, known as

Chapter 40B. This law enables affordable-housing developers to avoid a community's density strictures if the current level of affordable housing is less than 10% of its total housing stock.

SUSTAINABILITY, SMART GROWTH, AND PATCHWORK REFORM

In addition to thwarting the production of affordable housing and degrading the traditional Main Street, zoning as it has evolved since the 1940s has often encouraged dependence on motor-vehicles and discouraged walkable neighborhoods. In an attempt to tackle these problems, policymakers in Massachusetts have come up with several approaches, such as Open Space Residential Design, Form Based Codes, and Traditional Neighborhood Development.

Suffice it to say, without either these reforms or a zoning code bonfire, you are not free to build your dream abode in the place or manner of your choosing.

Future editions of the newsletter will describe the role of various zoning reform proposals in the ongoing conversation about zoning, and whether they offer a more pragmatic alternative to the Kunstler bonfire proposal. In the meantime, readers can find out more about these and other ideas from the Executive Office of Energy and Environmental Affairs (for instance, the [OSD/NRPZ Tool](#)). [M](#)

LINKS

40A: <http://clickmetertracking.com/malegislature-mgl-40a>

40B: <http://clickmetertracking.com/malegislature-mgl-40b>

41: <http://clickmetertracking.com/malegislature-mgl-ch41>

KunstlerCast:

<http://clickmetertracking.com/libsyn-kunstlercast>

His article: <http://clickmetertracking.com/theatlantic-kunstler>

Posts: <http://clickmetertracking.com/massrealestatelawblog-special-permit>

OSD/NRPZ Tool:

<http://clickmetertracking.com/mass-smart-growth>

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ATTENTION LAWMAKERS! ATTENTION TENANTS! An Open Letter

By Sherri Way, President MWPOA, Realtor at Keller Williams, Landlord

Why legislators and renter advocates need to work with landlords to craft housing policy.



Sherri Way is President of the MetroWest Property Owners Association.

Attention lawmakers!
Attention tenants!
Do you want to provide affordable housing to those who really need it?

If the answer to this question is yes, then you need to work with landlords instead of imposing

legislation that works against landlords.

Landlords depend on tenants and tenants depend on landlords. With the current lopsided legislation and the potential for it to become more lopsided, it is making it more difficult for those who need it the most to find rental housing.

Being a landlord is a business. Landlords are not social services. They must do what they can to ensure that their business runs well, and this means getting tenants who can pay the rent and removing tenants that do not pay or that cause problems.

Landlords look at 3 specific criteria (sometimes more) when choosing a tenant:

1. Credit: Good credit indicates responsibility and respect for others to whom they own money. While sometimes life gets in the way (job loss, divorce etc.), the higher the credit score, the more likely a tenant is to be approved for an apartment.
2. Landlord history: If a tenant was good to a past landlord, then the chances are they will be good tenants moving forward. Tenants who are evicted (for good reason), typically are going to be viewed as problems.
3. Income: Landlords have guidelines they use with respect to income. Typically, landlords require that no more than 25%-40% of a tenants' combined income can go towards the rent.

As legislation is passed that makes it more difficult to evict (e.g., Just Cause Eviction etc.), landlords tighten up their guidelines. Landlords may require lower rent/income ratios, i.e., 25% instead of 40%.

For credit, landlords may previously have taken someone with a credit score in the 500s and now, thanks to tougher landlord laws, they are requiring 600 or higher.

While tenants with low credit scores or high rent/income ratios may be good tenants, why should landlords take a chance that they may have to evict when there are many other tenants with good credit and low income/rent ratios who are looking to rent?

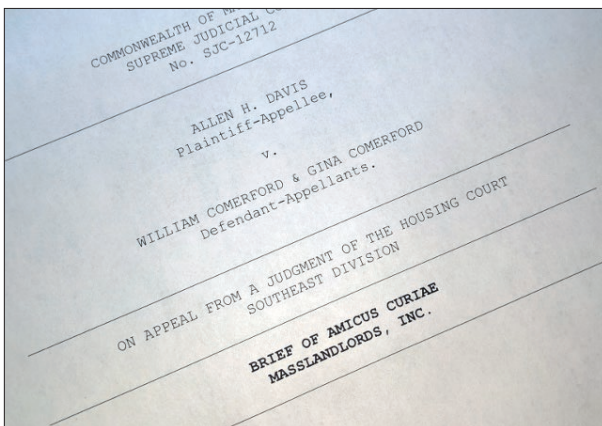
The first rule of being a landlord is that an empty apartment is better than one with a bad tenant.

So legislators, tenant groups: you need to work with landlords if you really want to solve the housing crisis for those who really need it. By passing more legislation that makes it harder to evict, you are only making it harder on those who really need it. [M](#)

LINKS

Just Cause Eviction:

<https://masslandlords.net/policy/just-cause-eviction/>



ARTICLE YOU MAY HAVE MISSED

Rare Win for Landlords: SJC ruling in *Davis v Comerford* Confirms Legality of Rent Escrow Orders

A recent decision of the Supreme Judicial Court (SJC) helps fix a problem that MassLandlords has been working on for a long time. The name of the case is Davis v. Comerford. You can read the decision online, as well as the MassLandlords amicus brief (docket number SJC12712). We filed an amicus brief because the issue before the court was of vital importance to our members, namely rent escrow. [M](#)

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



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Landlords: TAKE THE USE AND OCCUPANCY MOTION SURVEY

By Kimberly Rau, MassLandlords Writer

MassLandlords wants to hear from landlords and attorneys on our Use and Occupancy Motion Survey. Was your motion granted?

MassLandlords has created a Use and Occupancy Motion Survey to collect information about the impact of Davis v Comerford. Please fill out this survey any time you have requested use and occupancy payments, regardless of the outcome.

WHERE USE AND OCCUPANCY MATTERS

Use and occupancy motions are filed in court when a claim or counterclaim is unrelated to payment, and the landlord needs to know the rent is available to be paid at the end of litigation. For instance, when a tenant appeals an eviction for cause, or when a defense is raised on the condition of the premises, there is theoretically rent money to be set aside.

These use and occupancy payments can be something of a safety net for landlords as we wait out summary process. It's no secret that Massachusetts evictions take

a long time. The MassLandlords example eviction takes 84 days from the moment rent is first unpaid. Sherwin Law Firm confirms this, writing an uncontested eviction can take one to two months to complete once a notice to quit is issued, and a contested eviction may take up to six months.

DAVIS V COMERFORD

Getting an order for use and occupancy payments can be tricky. In practice, use and occupancy motions have been inconsistently granted. Opinion was divided as to whether state statute permitted orders to escrow. Therefore, as detailed over years by Rich Vetstein at Mass Real Estate Law Blog, judges were not often quick to issue them.

On September 16, 2019, all this may have changed. In the case Davis v Comerford, the Supreme Judicial Court ruled that both Housing Court and District Court judges may issue rent escrow orders in favor of landlords who are going through the eviction process, provided certain guidelines are followed.

According to Vetstein's post, judges who are asked to consider rent escrow orders must look at several factors, including the anticipated delay before case resolution, whether the tenant has had to pay out of pocket for any repairs (under the repair and deduct law), and the landlord's mortgage and property expenses, as losing out on rent could lead to a foreclosure situation for the landlord. Even with a ruling that escrow payments are legal, they are not guaranteed to be approved for every landlord who requests them.

THE FREE RENT TRICK

The ruling does not guarantee escrow motions will be granted, and leaves open

the possibility of the so-called "free rent trick," in which renters purposefully damage their premises to avoid paying rent. The ruling therefore does not invalidate the need for mandatory rent escrow legislation filed by MassLandlords.

But does the ruling undercut it? Is the ruling being applied where it ought to be applied? We want to hear from landlords and attorneys who have sought such use and occupancy payments.

We've set up a Use and Occupancy Motion Survey that asks for the date the motion was filed, case name and docket number, the name of the court, and whether the payments were ultimately allowed. You can take the survey here. The survey will be available on an ongoing basis, so landlords may fill it out as necessary going forward. Bookmark to return to when you have a relevant case. 

LINKS

Use and Occupancy Motion Survey:
<https://masslandlords.net/surveys/use-and-occupancy-motion-survey/>

Davis v Comerford:
<https://masslandlords.net/laws/davis-v-comerford/>

Example eviction:
<https://masslandlords.net/laws/eviction-process-in-massachusetts/>

Sherwin Law Firm:
<http://clickmetertracking.com/sherwin-law-eviction>

Mass Real Estate Law Blog:
<http://clickmetertracking.com/massrealestatelawblog-davis-v-comerford>

Free rent trick:
<https://masslandlords.net/the-free-rent-trick-2017-12/>



Have you made a motion for use and occupancy? Let MassLandlords know!



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Attorney Schrier Discusses **THE TENANT PROTECTION ACT AKA RENT CONTROL**

Attorney Stuart Schrier presented at MassLandlords Cambridge in June 2019 to discuss the Tenant Protection Act, aka the latest rent control bill.

Attorney Stuart Schrier presented at MassLandlords Cambridge on June 18, 2019 to discuss the Tenant Protection Act, 191-H3924-HD1100, aka the rent control bill. This is a summary of that conversation. Any errors are MassLandlords' own.

POLICY BACKGROUND

Attorney Schrier started his talk by drawing an analogy with the high cost of healthcare, which like housing is essential. The Affordable Care Act did many things, but didn't really address the costs of healthcare. Similarly, the current housing policy proposals do many things, but ultimately fail to address the costs of housing. In real estate, the cost of housing is determined by the cost of new buildings and new units. This includes rates for plumbers, cost and availability of permits, and delays associated with uncertain zoning and variances, among other things.

Rent control does not address the costs of housing. In its implementation and outcome, rent control ends up being really unfair. Attorney Schrier said that rent control will not hurt large owners. Such owners are already getting top rents, and have leases to protect themselves with automatic rent increases, and sharp penalties for overstaying a lease term.

Any rent control bill that aimed to undo contracts like these could immediately become the subject of a federal lawsuit.

Article I, Section 10, Clause 1 of the US Constitution prohibits states from impairing the obligation of contracts. Nevertheless, that doesn't stop renter advocates from trying.

Attorney Schrier reminded the room that SPOA and others fought rent control, and in Massachusetts enacted Chapter 40P, the rent control prohibition act. This act says there is no rent control in Massachusetts except voluntary rent control, reimbursed by the municipality imposing it.

The Massachusetts Rent Control Prohibit Act defines rent control as any regulation that requires below market rents. No rent control of any kind is allowed under 40P. All forms are preempted.

THE TENANT PROTECTION ACT

The comprehensive coverage of Chapter 40P is why the Tenant Protection Act has to shred 40P and throw it aside. They need this chapter gone. So that's what this bill will do.

Note that similar minds are behind the Tenant Protection Act as were behind the Jim Brooks Just Cause Eviction bill last session. This bill was easy to destroy last session because attorneys as debt collectors cannot copy the city on notices. There are state and federal laws about this. State law cannot force someone to break another law, especially not a federal law. The Jim Brooks Act was soundly defeated.

So the Tenant Protection Act, 191-H3924-HD1100, is their response. It's an emergency law that goes into effect immediately. There are 20 cosponsors. The bill says take Chapter 40P, and strike Sections 1- 5.



Attorney Stuart Schrier presented in Cambridge June 18, 2019.

CHOICE OF CHARITY

Attorney Schrier paused the discussion on the bill text to provide some more context.

First, remember that there are more tenants than landlords. Under majority rule, landlords will be outvoted every time.

Second, note that it's easy for the renter advocates to be kind to renters when it's other people's money they're spending, without regard to what that does to landlord finances. The Tenant Protection Act aims to provide a fair return, but if rents are limited without regard to hours worked, the act seems likely to violate the minimum wage law.

Third, Attorney Schrier pointed out that landlords perform unrecognized acts of charity regularly. From providing furniture to a new renter to giving someone a 30-day grace period to navigate loss of a job, landlords

pick the renters with whom they will be charitable.

The Tenant Protection Act relies on landlords turning out in smaller numbers than renters, relies on landlords being able to pay for the social burden of high housing, and forces us to distribute our charity without regard to merit or ability. To ensure compliance, it requires a \$5,000 fine for violations.

1.) CONDO CONVERSION

The Tenant Protection Act begins by clashing with 1983 law, Section 527, under which each town can do whatever they want with respect to condo conversion regulation. Somerville and Boston have their own examples already. The Tenant Protection Act would eliminate these in favor of a new state standard.

2.) LOCAL OPTION FOR JUST CAUSE EVICTION

The second section brings back the Jim Brooks Just Cause Eviction bill. Attorney Schrier invited the audience to remember that the worse the tenant is, the harder it is to get a witness to testify against them. This is why the really bad tenants are evicted “no fault,” at the natural expiration of their rental agreement.

Attorney Schrier shared a personal anecdote of one renter threatening personal violence against him. The renter said, “If you evict me, this will be the last eviction you ever do.” Sadly these stories carry no weight among advocates of Just Cause Eviction, although they should.

The Act in this sense is trying to appease Boston, who in some measure want Just Cause Eviction. The Act also mandates a payment of three months’ rent for relocation assistance.

3.) FORECLOSURE PROTECTIONS

Attorney Schrier described this section with an example. “Imagine someone didn’t pay their mortgage for ten years. Now they’re your tenant because you bought the house.” The Act makes it difficult to remove such a renter.

Buyers of foreclosures may be exempt: If the buyer is a natural person

and owns fewer than six units in that town, they would be exempt from the Act’s foreclosure protection. Trusts wouldn’t be exempt.

Under the Act, the town must receive copy of any notice. Attorney Schrier commented that this section violates federal fair debt collection practices.

4.) EX POST FACTO CONTROL

Attorney Schrier described this section as the worst part of the bill.

Imagine a landlord smells rent control coming, so they raise the rent now. If the Act were to pass, rents would be rolled back to rent 12 months before, to try to undo preemptive rent raises.

There is no consideration in the bill for properties that were renovated in the interval. So you might have put \$100,000 into a unit, and re-rented it brand new to a new renter, who would then be entitled under the law to pay pre-renovation prices. This again would be an Article I lawsuit.

5.) ANTI-DISPLACEMENT ZONES

The Act establishes the ability to define anti-displacement zones. The immediate impact of this section is not clear, as the powers are not defined.

Suffice it to say, the intent of the act is to protect people considered the “fabric of neighborhood,” although the implementation is not decided.

6.) PAY DEPOSITS OVER SIX MONTHS

Attorney Schrier asked the audience, “Who would give the keys without move-in monies? Well the answer will be everyone, if the bill passes.” The Act requires landlords to permit payment of move-in monies over the first six months of the lease.

RIGHT TO COUNSEL

Although a separate bill, Attorney Schrier commented also on the various proposals for a taxpayer funded attorney.

Attorney Schrier said, “I don’t personally object so much to a taxpayer funded attorney, but this bill disgusts me.”

He pointed out that the right to counsel would apply to all evictions, including Section 239 evictions and Section 139 cause evictions, which cover gang violence, drugs, guns, and more serious offenses. Under all forms of right to counsel being proposed, the likes of Dzhokhar Tsarnaev would be covered!

Attorney Schrier wanted the audience to know he wasn’t heartless. “There’s no crime in being poor. I can work with that. I can’t work with bad people.”

Ultimately, that’s the major difference between renter advocates’ proposals and good housing policy. The renter advocates act as if every renter was good, and every landlord was bad. Life is not so black and white.

HATCHER REMINDER

Attorney Schrier ended his remarks with a public service message about the recently decided Hatcher case. Landlords must remember that we can no longer file evictions in the name of a manager. We must only bring our case in the name of the owner or the lessor. If we are not either of those, we must hire an attorney. 

LINKS

Tenant Protection Act, 191-H3924-HD1100 <https://masslandlords.net/tenant-protection-act-rent-control-full-analysis-an-act-enabling-local-options-for-tenant-protections-191-h-3924-hd-1100/>
Article I: <http://clickmetertracking.com/cornell-constitution-1>
Rent control prohibition act: <https://masslandlords.net/laws/rent-control/>
Taxpayer funded attorney: <https://masslandlords.net/policy/tenants-right-to-counsel/>

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EARLY WARNING SYSTEM OFFERS AUTOMATIC NOTIFICATION of City and State Announcements

By Eric Weld, MassLandlords, Inc.

As participants in the MassLandlords early warning system you will receive an assortment of municipal and/or state news and notices as soon as they are published.

MassLandlords members can now automatically track pending legislation, regulation and policy changes, open hearing announcements and other important issues by signing up for a new notification system implemented this month.

Once you opt in, this notification tool—which we refer to as an “early warning system”—will automatically send an email directly to your inbox every time a post or change is added to select city and state government websites monitored by MassLandlords.

As early warning system participants, you have the option to choose which websites to receive notifications from. Monitored city websites include Boston, Framingham, Holyoke, Lawrence, Somerville, Springfield, Waltham and

Worcester. Participants may also opt to receive notices about state agencies and statewide bills.

“Too often public hearing notices are perfunctory, carried out for compliance with no effort at engaging stakeholders,” notes Doug Quattrochi, executive director of MassLandlords, Inc., who helped develop and implement the early warning system. “We want motivated owners to know about hearings so we can attend and share our perspective.”

The early warning system is available for no charge to all current MassLandlords members. Sign up for early warning system automatic notifications by checking your preferences from the list of monitored websites, then click “submit.” Be sure to read the brief Early Warning System notice to learn how to participate in the program most effectively.

Email notifications to early warning system participants are generated from automatic monitors employed by MassLandlords on the targeted city and state websites. The monitors track new posts and changes to the websites. MassLandlords will add monitors as

websites are added and changed, and will rely on system users’ feedback to maximize the efficiency of these monitors.

A WIDE RANGE OF NEWS AND NOTICES

As a participant in the MassLandlords early warning system, you will receive an assortment of municipal and/or state news and notices as soon as they are published, including announcements of school committee hearings, health and human services meetings, public health updates, pending changes in legislation pertaining to housing and transportation, and more. The range, types and geography of news you receive is determined by which monitored websites you subscribe to on the early warning system page.

MassLandlords will use information from program participants to help broadcast meeting announcements to members, and to filter out announcements from monitored websites that are not essential to landlords and other members (e.g. invitations to complete feedback surveys).

We also encourage you to coordinate attendance at public hearings among your constituencies by publishing notices of hearings on social media, for example, and on MassLandlords message boards based on early warning system notifications. You are also invited to use the information received through the early warning system generally, to participate and keep apprised of issues beyond the purview of MassLandlords.

The MassLandlords early warning system became open to members on Tuesday, October 8, 2019. 

LINKS

Early Warning System:
<https://masslandlords.net/ews/>



Although some matters draw great public interest, many matters of key concern to owners are enacted with little public participation at all. Boston City Council Chamber CC0.



Office of the Sheriff Process and Warrants Division

- ▶ **Notice to Quits**
 - ▶ **Summary Process Writs**
 - ▶ **Evictions/Talk-Outs**
 - ▶ **Trespass Notices**
-

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NEW CONTRACTOR FORM Could Help You on Your Next Project

By Kimberly Rau, MassLandlords Writer

From roofs to outdated bathrooms to painting, there's a lot that goes into keeping a unit fit for tenants. Use our contractor form for your next project.

Even the handiest owner must turn to independent contractors to take care of certain projects. (And of course, most work in rental properties requires a Construction Supervisor License anyway.) This month, MassLandlords has put up a new member-contributed independent contractor form that covers everything from work delays to supervisory concerns and site cleanup.

"This fills a void," said MassLandlords Director Rich Merlino, noting that while he believes such agreements should be used by contractors every time a project is negotiated, the reality is often different. "This irons out the agenda for both parties. Too often, these things are not discussed in detail, or in writing."

With any project, there are seemingly endless opportunities for things to wind up over budget, behind schedule, or



Don't let hiring a handyman be a headache! Use our new contractor agreement.

in the hands of a team of sub-contractors the landlord has never met. This form allows for some recourse if the undesirable happens, with clauses like a daily penalty for jobs that go over the agreed-upon timeframe.

The version reviewed by members at the October Worcester event was admittedly one-sided, favoring the landlord, but Merlino was quick to say that we sent the form out for attorney review after (JRG Legal in Boston). The version on the site

now includes an early completion bonus for contractors who finish projects ahead of schedule (not just a late penalty).

"The things that are to the landlord's advantage are only to the disadvantage of the contractor if goals are not met," he said, adding that landlords should be realistic about things like timeframes for jobs. For instance, you can add in some extra time over what the contractor quotes to allow for unforeseeable setbacks. Ultimately, it's about being fair to both parties.

"I want us to mutually want to do business together at the end of this," Merlino added. "We're not trying to set this up for failure."

It's important to note that the form (available [here](#) for MassLandlords members only) is member-generated, attorney reviewed. But as with all forms available on the site, consult with your own counsel prior to using any form to make sure it applies to your business. 

LINKS

Contractor form:

<https://masslandlords.net/forms/independent-contractor-agreement/>

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REGIONAL



2019 NOVEMBER

Upcoming events
See details under each region

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



2019 DECEMBER

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	6	7 Cambridge Crash Course 8:30am-2:05pm
8	9	10 Marlborough 6:30pm-9:00pm	11 Worcester 5:30pm - 8:30pm	12 Chicopee, Fitchburg 5:30pm - 8:30pm	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

BERKSHIRE COUNTY

Pittsfield:
Howard SiegelTUE
11/19

Howard Siegel – Has been in the security and Information Technology business for more than 25 years. The owner of Bug buster's computer services and H and S investigations group.

Experts in IT and physical security. In the IT world they manage many clients' networks and monitor the network traffic, installing antivirus applications to help prevent any intrusion among many other services.

The security portion of the business offers full investigative services and physical security including background checks and complete surveillance services. They install security cameras and offer bodyguard and uniform guard services as needed.

Another service that is offered is firearms training both non live fire and live fire. Howard is a Massachusetts certified firearms instructor and a range security officer as well as a licensed firearms dealer. He and his company can assist you with all of your security needs.



Our Events are Held at Zucchini's Restaurant in Pittsfield

TUESDAY, NOVEMBER 19TH

BERKSHIRE COUNTY MEETING
AGENDA

6:00pm Networking

- o Networking draws from Great Barrington, Lee, Lenox, Stockbridge, Pittsfield, Lanesborough, Cheshire,

New Ashford, Adams, North Adams, Clarksburg, Williamstown, Florida, Savoy, Hancock, Dalton, Windsor, Hinsdale, Peru, Richmond, Washington, West Stockbridge, Becket, Tyringham, Alford, Otis, Monterey, Sandisfield, New Marlborough, Sheffield, Egremont, and Mount Washington.

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

LOCATION

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

PARKING

There is ample free parking behind the restaurant

FOOD

Dinner by Zucchini's

PRICING

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

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

This event is operated by volunteers.

Pittsfield:
No December or
January Meetings

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

BOSTON, CAMBRIDGE, SOMERVILLE

Cambridge: Member
Choice TBATUE
11/19

Part I: Member Choice TBA

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

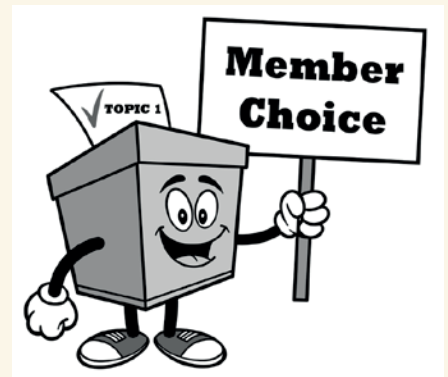
us at hello@masslandlords.net. Tell us which location you want to attend (if it's not already clear from your ticket purchase history.)

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

Part II: Surprising Pro
Tips for Insurance

Do you have **ordinance or law coverage**? Are you prepared for any disaster? Whether it's a fire or a **lawsuit**, you need insurance to protect your assets. We'll start off with insurance do's and don'ts and the **top five** ways to reduce claims and premium costs. We'll then explain the difference between replacement cost vs cash value, the need for **vacancy insurance**, and common things landlords miss that increase litigation exposure.

This part of the presentation will be given by Matthew Pelrine, Account Executive for NorthStar Insurance Services. Matthew works with clients to implement comprehensive and cost-effective insurance and risk management solutions; his main areas of focus include real estate and construction. In addition to his work with NorthStar, Matt has served on the Builders and Remodelers Association of Greater Boston's Board of Directors since January, 2016 and was elected as the Association's Treasurer this past January. Prior to joining NorthStar in 2013, Matt proudly served our country with the United States Marine Corps for six years. Matt is a graduate of the University of Connecticut, where he played on the men's lacrosse team.



You Decide: Tell us which topic you need



Fire Casualty is one of Many Risks Landlords Can and Should Insure Against

[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, NOVEMBER 19TH

CAMBRIDGE MEETING AGENDA

5:30pm Sign-in and Networking

- o 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 Member Choice TBA

8:30pm Surprising Pro

Tips for Insurance

9:00pm Doors close

LOCATION

Cambridge Innovation Center

1 Broadway (5th Floor)

Cambridge, MA 02142

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



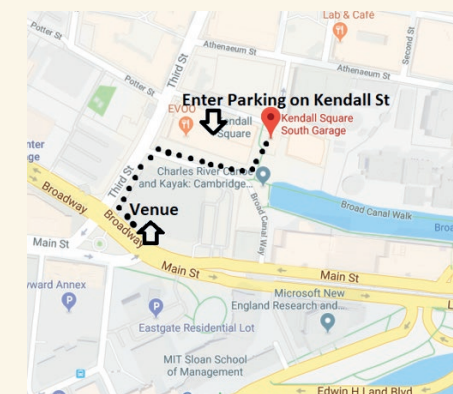
ID required Upon entering One Broadway, you will need to check in with the lobby security. You'll just need to show your ID and let them know you're going to the MassLandlords event in the 5th floor Venture Cafe.

ACCESSING FROM THE T

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

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

PRICING

Open to the public. Membership is not required!

Door:

- o Public: \$24
- o Members: \$19

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

- o Public: \$22
- o 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: The MassLandlords Crash Course in Landlording

SAT
12/07

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:

- *Every Landlord's Tax Deduction Guide* by NOLO,
- *The Good Landlord* by Peter Shapiro,
- *Getting to Yes* by Roger Fisher, and/or
- *The Housing Manual* by H. John Fisher.

- A bound summary of all material presented.
- Breakfast pastries, coffee, tea.
- Lunch sandwiches, sodas, chips, cookies; all dietary requirements satisfied, please notify us when you purchase a ticket.
- A MassLandlords ballpoint pen.
- A coupon for 10% off any MassLandlords annual membership.
- A MassLandlords certificate of completion and permission to use "MassLandlords Crash Course graduate" on your marketing material.

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



Instructor Douglas Quattrochi



Instructor Attorney Adam Sherwin

FEATURED TESTIMONIAL



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

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

SATURDAY, DECEMBER 7TH, 2019

AGENDA

- 8:30am – Introduction of MassLandlords and course participants
- 8:50am – Rental markets
 - Urban, suburban, rural
 - Luxury, college, professional, working, subsidized, rooming houses
- 9:05am – Property selection
 - Lead paint (Legal highlight)
 - Utilities
 - Bones vs surfaces
 - Amenities
 - Repairs and renovations



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Fax: 413.642.0039

W: ruachmanagement.com

E: info@ruachmanagement.com

425 Union St. Suite 42(level D)
West Springfield, MA 01089

- o Durable vs beautiful
- o What if I'm stuck with what I've got?
- 9:20am – Sales and marketing 101 for rental property managers
 - o Marketing rentals
 - o Sales process
 - o Staying organized
 - o Branding a small business
 - o Getting more or fewer calls
 - o Tips and tricks
- 10:05am – Break
- 10:15am – Applications and screening
 - o Criminal, credit, eviction
 - o Discrimination (legal highlight)
 - o Tenant Screening Workshop
- 11:10am – Rental Forms
 - o Lease vs Tenancy at Will
 - o iCORI
 - o Eviction notices
- 11:35am – Legal Matters start
 - o Late fees
 - o Security deposits
 - o Eviction process
 - o Move-and-store
 - o Water and electrical submetering
 - o Housing Court vs District Court
 - o Warranty of habitability
 - o Inspections
 - o Subsidies
 - o Rent control
- 12:00pm – Break and Lunch, with free form Q&A
- 12:30pm – Legal Matters finish
- 1:10pm – Maintenance, hiring, and operations
 - o Keeping the rent roll and expenses
 - o Filing taxes
 - o To manage or not to manage
 - o Tenants as customers
 - o Notifying tenants
 - o Extermination
 - o Monitoring contractors
 - o Lease violations and conflict resolution
 - o Record keeping
- 1:50pm – Overview of books and resources for further education
- 1:55pm – Review of unanswered questions
- 2:05pm – End

LOCATION

Cambridge Innovation Center
14th Floor
One Broadway
Cambridge, MA 02134

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



ACCESSING FROM THE T

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

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

PARKING

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

FOOD

Breakfast:

- o Fresh bagels, large muffins, cinnamon rolls, coffee cake slices and scones with cream cheese, butter, and jam
- o Fresh fruit platter
- o Assorted fruit juices and coffee

Lunch:

- o Assorted gourmet sandwiches
- o Garden salad
- o Fruit salad
- o Assorted pastries
- o Soda, juice, water

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

PRICING

Online:

- o Non-members: \$205
- o Members: \$195 (log in before you register or you will see the non-member price)

Online registration required. All ticket sales final.

[Click here to purchase tickets](#)

Membership.

Please note: this event is run by MassLandlords staff.

Cambridge Event Series Returns January 21st

TUE
01/21

After the November 19th meeting, there will be no regular monthly meeting in December.

Our event series will return on the third Tuesday of January.

CENTRAL WORCESTER COUNTY

Don't List Worcester Studios or One Bedrooms Before Contacting MassLandlords

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 next steps, call the helpline at 774-314-1896 or email hello@masslandlords.net.

Worcester: Security Deposit Forms, Animal Addendum, Section 1031 Exchanges

WED
11/13

Part I: Forms Review: Security Deposit Receipt, Animal Addendum

Based on member input, **we didn't get enough of security deposits** last time. Also, members have been paying attention and want to review our **newly updated animal addendum**. We'll be covering both of these in some detail.

First, security deposits are one of the major legal exposures for landlords in Massachusetts. You need to issue one receipt when you take the deposit, another receipt when you deposit it into an account, an annual statement, and a final accounting at the end of the tenancy. Security deposits are **difficult but doable**. We'll show you how! (Note: We will not be presenting the

security deposit slides. This is form-forward review: we will put the forms on-screen and walk through them together.) (This section will be less than ten minutes, just a quick reminder).

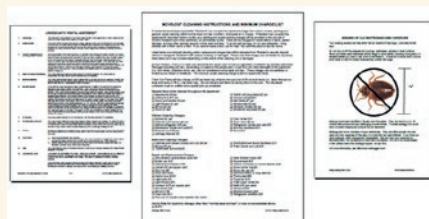
Before we put away the forms, we'll also walk through our **updated animal addendum**. Released on September 13, 2019, version 6 is a **complete overhaul**. We've eliminated confusing things (you know you can't charge **pet rent**, right?) and we've added details from members who've had iguanas, **pet cockroaches**, Guinea pigs and more for house guests. (This section will be up to 30 minutes, in-depth review of animal clauses.)

Part II: Section 1031 Exchanges

What's the biggest tax savings ever? How about if you saved over \$100,000? Come learn about IRS Section 1031, which allows owners to **avoid recapture tax**.

In a nutshell, owners can depreciate their property, **saving tens or hundreds of thousands** of dollars in taxes over the life of the building, and then they can sell out and transfer that money into new property of like kind without paying recapture tax. Everyone serious about rental property as an investment vehicle should understand Section 1031. But it's not for the faint of heart! **Tight timelines** are involved. If you do it only once in your life, it will still save you \$100,000 or more, depending on the value of your property.

This part will be presented by Chris Brown of Edmund & Wheeler.



Security Deposit Forms and the new Animal Addendum



Chris Brown of Edmund and Wheeler on 1031 Exchanges

Have you seen our Leave Stuff, Take Stuff Table?

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

"No Sales Pitch" Guarantee

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WEDNESDAY, NOVEMBER 13TH

MEETING AGENDA

5:30pm Sign-in/Networking

o 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 Forms Review: Security Deposits and Animal Addendum

7:45pm Section 1031 Exchanges

9:00pm Doors close



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/>

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, we will accommodate you.

PRICING

Open to the public. Membership is not required!

Door:

- o Public: \$24
- o Members: \$19

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

- o Public: \$22
- o 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.

Worcester: Why Your Buildings Haven't Met Fire Code for 30 Years

WED
12/11

Part I: Why Your Buildings Haven't Met Fire Code for 30 Years

Some of us may be familiar with the term **existing non-conforming**, but as it turns out, fire code makes few or no exceptions. Experienced landlords with first-rate buildings are now being cited for fire code violations that were unenforced for decades. Now they're being enforced. This presentation may amount to advance warning.

It's extremely important to understand smoke detector regulations, when heat detectors are required, and whether you need **emergency pulls**. We should all be familiar with sprinkler requirements for new construction, but what if a fire department demands you retrofit immediately? Can they do that? Will your existing building be paid out if there were a fire and resulting insurance claim? Note that the code gets

very **building-specific**. This presentation will give you an indication of where you need to investigate for yourself, but we usually cannot give advice specific to individual buildings.

This part of the presentation will be given by Jennifer Hoyt, Chief Fire Protection Engineer with the State Fire Marshall's Office since 2014. The State Fire Marshall can evaluate your building on-site. They can compare what your local fire department is requiring against the code to give an expert (and definitive) opinion. This is a connection you need to have.

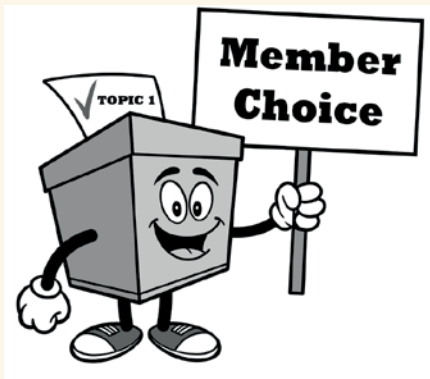
Part II: Member Choice TBA

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

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



Fire Code represents Significant Risk for Many Owners



You Decide: Tell us which topic you need

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, DECEMBER 11TH

MEETING AGENDA

5:30pm Sign-in/Networking

- o 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 Why Your Buildings Haven't Met Fire Code for 30 Years

7:45pm Member Choice TBA

9:00pm Doors close

LOCATION

Fiddler's Green
19 Temple St
Worcester, MA 01604

PARKING

Park in the lot along and behind the restaurant, on the street, or in the church lot across the street.

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, we will accommodate you.

PRICING

Open to the public. Membership is not required!

Door:

- o Public: \$24
- o Members: \$19

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

- o Public: \$22
- o 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.](#)

CHARLES RIVER (GREATER WALTHAM)

Waltham: The Certified Massachusetts Landlord™ In-Depth, Eviction and Serving Notices to Quit

TUE
11/05

Part I: The Certified Massachusetts Landlord™ In-Depth

MassLandlords is launching our new optional **state-wide certification**! This segment will review the certification in-depth, covering best practices, the upcoming exam, and our continuing education opportunities.

We will start with the certification context, including a review of **existing professional certifications** for owners and managers of residential real estate. Then we'll review the motivations for creating our own program, and share our **end vision**. We will give a **step-by-step guide** for how to start certification online and what to expect with the exam, which will be available January 2020.

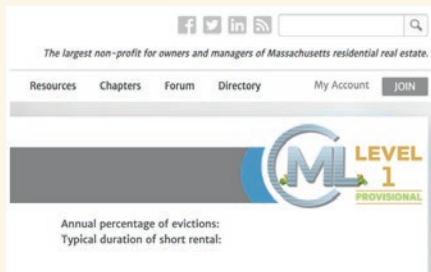
This part of the presentation will be given by MassLandlords staff.

Part II: Eviction and Serving Notices to Quit

Try as we might, not every tenancy is stable and not every tenant recognizes this and leaves promptly. Sometimes we need to start **"summary process"**, which is the legal term for a Massachusetts eviction. This segment walks us through the eviction process with emphasis on the serving of notices by constables and sheriffs.

Attendees will leave with a clear understanding of the notice to quit, **summons and complaint**, and execution. We'll go over how to serve notice and will share some stories of service gone wrong.

This part of the presentation will use MassLandlords repertoire slides and will be given by **Mark Weisberg, constable**.



A Screenshot of the Certification Logo to appear on our Professional Profiles



Mark Weisberg, Constable will be Presenting (cartoon bears no resemblance).

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

Purchase your ticket in just a few clicks!

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TUESDAY, NOVEMBER 5TH

Charles River Meeting Agenda

6:00pm Sign-in/Networking

o Networking draws from
Waltham, Newton, Weston,
Watertown, Wellesley,

Wellesley Hills, Lincoln,
Dover, Arlington, Belmont,
and the western ends of
Cambridge and Boston.

6:10pm Pizza and sodas provided
6:40pm Executive Director Doug
Quattrochi with the
MassLandlords Business Update

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

7:00pm Certification In-Depth
7:40pm Eviction, Serving Notices
9:00pm Doors Close

LOCATION

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

GETTING THERE AND PARKING

Lots of parking available at this hour.
For your ease of access, do **not** use the
Beaver St entrance. Enter at the Main
Entrance on Forest Street and park in
Lot 1 or Lot 2. The Conference Center
is signed on the north corner of the
main quadrangle. Refer to the image
below for lot locations and correct
entrance into building.



FOOD

Pizza, salad
Soda, Water
Cookies

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

PRICING

Open to the public. Membership is not required!

Door:

- o Public: \$34
- o Members: \$29

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

- o Public: \$32
- o Members: \$24

Premium Members: No charge and no need to register

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

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

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

Waltham: Emotional Support Animals, The BBB for Landlords

WED
12/04

Part I: Emotional Support Animals

We've seen it: renters apply for "no pets" apartments and describe their animals as "assistance" or "support" or "medical." **What's the correct terminology?** What are landlords supposed to do to protect their property and also a renter's rights when someone says they have a support animal? And what would land us in hot water for discrimination if we're not careful? We'll be covering this and more.

This part of the presentation will be given by Alison Caton, trainer at the Massachusetts Commission Against Discrimination.

Part II: The BBB for Landlords

We're all familiar with the idea of the "Better Business Bureau," but have you thought about how the BBB can **help you in your business**?

In this presentation we'll start with BBB 101. Then we'll dive into how landlords can identify themselves and their detailed rental applications as **legitimate**, and **why a renter can trust us** to keep their data safe.

We'll also share a contractor dispute horror story, and end with how the BBB's free services can be a **preventative step before legal action** becomes necessary, especially with contractors or other service provider disputes.

This part of the presentation will be given by Amy Schram, Manager of Community Relations, BBB. The Better Business Bureau is a nonprofit public service organization with a mission to be a leader in advancing marketplace trust. The BBB encourages and supports best practices by engaging with, and educating, consumers and businesses. For over 100 years BBB has helped people make smarter decisions and is evolving to meet fast changing marketplace needs. The BBB101 program will be a discussion on Better Business



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.



EVENTS

Monthly networking and education at events state-wide.



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.



COLLECT CHECKS ONLINE

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



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.



CREDIT SCREENING COUPONS

Save on SmartScreen credit reports.



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.



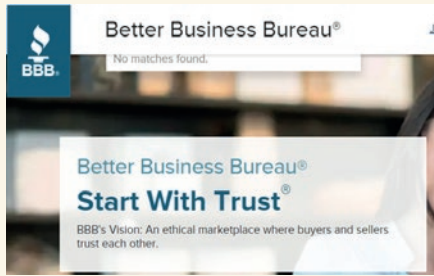
ENTITY FORMATION SAVINGS

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

SIGN UP AT

<https://masslandlords.net/join/>

Bureaus mission, and how to best utilize all of BBB's free services to help make educated and informed decisions.



The BBB For Landlords



Emotional Support Animals

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

Purchase your ticket in just a few clicks!

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WEDNESDAY, DECEMBER 4TH

CHARLES RIVER MEETING AGENDA

6:00pm Sign-in/Networking

- o Networking draws from Waltham, Newton, Weston, Watertown, Wellesley,

Wellesley Hills, Lincoln, Dover, Arlington, Belmont, and the western ends of Cambridge and Boston.

6:10pm Pizza and sodas provided
6:40pm Executive Director Doug Quattrochi with the MassLandlords Business Update

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

7:00pm Emotional Support Animals
7:40pm The BBB for Landlords
9:00pm Doors Close

LOCATION

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

GETTING THERE AND PARKING

Lots of parking available at this hour. For your ease of access, do **not** use the Beaver St entrance. Enter at the Main Entrance on Forest Street and park in Lot 1 or Lot 2. The Conference Center is signed on the north corner of the main quadrangle. Refer to the image below for lot locations and correct entrance into building.



FOOD

Pizza, salad
Soda, Water
Cookies
Please feel free to bring a dinner that meets your dietary goals/restrictions

PRICING

Open to the public. Membership is not required!

Door:

- o Public: \$34
- o Members: \$29

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

- o Public: \$32
- o Members: \$24

Premium Members: No charge and no need to register

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

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

GREATER SPRINGFIELD

Chicopee: Free Remediation of Asthma Triggers, Meet the Sheriffs

THU
11/14

Part I: Free Remediation of Asthma Triggers

You'd expect the Pioneer Valley to have fresh clean air, but actually Hampden and Hampshire counties consistently receive failing grades from the American Lung Association's "State of the Air" report. That's because the Pioneer Valley is like "the LA of Massachusetts," trapping smog and ozone that blow here from the rest of the country. You won't stay in business long if your renters can't breathe.

Fortunately, you can get a free home assessment for asthma triggers or other health issues, free education for your renters on keeping the premises clean, and best of all, free kitchen and bathroom ventilation, free carpet removal, free pest management, free leak repair, and free mold remediation. The only catch is your renter needs to be on medicaid, medicare, or have been to the ER or hospital for an asthma attack in the last year. Renters and homeowners are eligible to participate.

This part of the presentation will be given by Sarita Hudson, Director of Programs and Development for the Public Health Institute of Western Massachusetts. Sarita brings over 25 years of experience managing programs, developing coalitions, and building community capacity on issues including sexual violence prevention, women's rights, and social justice. She is a member of the Steering and Healthy Housing Committees of the Massachusetts Asthma Action Partnership, the American Lung Association's Asthma in Adults Leadership Team and Board Member of Safe Passage. Sarita holds a Master's degree from Harvard Divinity School.

Part II: Meet the Sheriffs

Who would you call if you had to give a tenant an eviction notice? One option would be to call the Sheriff. We'll be talking with the Sheriffs about civil process (meaning, eviction notices) and all that this entails.

We'll hear stories of evictions they've managed, learn why we should hire professionals instead of doing it ourselves, and then learn how to do it ourselves anyway if we want.

Make the acquaintance before you need to hire them. This is a rare opportunity to learn from experienced county officials.

This part of the presentation will be given by Chief Deputy Bob Hoffman and others from the Hampden County Sheriff's Department. What they discuss will be applicable to owners in other counties, as well.



Sarita Hudson from the Public Health Institute of Western Massachusetts will speak on eliminating Asthma Hazards



Chief Deputy Bob Hoffman and others from the Hampden County Sheriff will Speak on Serving Notices

Purchase your ticket in just a few clicks!

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THURSDAY, NOVEMBER 14TH

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 Health Institute of Pioneer Valley

7:50pm Hampden County Sheriff

8:30pm Networking

9:00pm Doors Close

LOCATION

Munich Haus
13 Center St
Chicopee, MA 01013

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:

- o Public: \$40
- o Members: \$35

Early bird, reserve seven days prior by 12pm:

- o Public: \$38
- o 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](#)

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

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

Chicopee: Hoarding, Member Choice TBA

THU
12/12

Part I: Hoarding

Hoarding occurs in a variety of circumstances and conditions, and in its worst form can **destroy a rental property** far in excess of any security deposit or civil lawsuit. It can also destroy the lives of those impacted, and in some cases, the lives of domestic or other animals. There is no known cure for this behavior, so what's a landlord to do?

Well fortunately there is a process to approach a renter about accumulation, to enforce code, and to point your renter to the help they need. This is "special situation" training so you can learn now and be proactive if and when it ever comes up in your business.

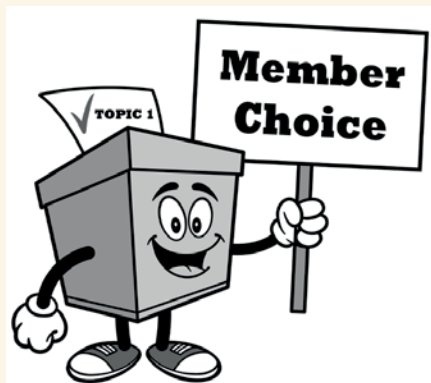
Part I: Member Choice TBA

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

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



Learn the Process to Address Renter Hoarding



You Decide: Tell us which topic you need

Purchase your ticket in just a few clicks!

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THURSDAY, DECEMBER 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 Hoarding

7:50pm Member Choice TBA

8:30pm Networking

9:00pm Doors Close

LOCATION

Munich Haus

13 Center St

Chicopee, MA 01013

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:

o Public: \$40

o Members: \$35

Early bird, reserve seven days prior by 12pm:

o Public: \$38

o Members: \$30

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

Extra Credit

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- **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](#)

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

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

LAWRENCE, METROWEST

**Marlborough:
Trump Taxes**TUE
11/12

We'll be having an accountant talk about year-end tax planning, real estate taxes, and of course the Tax Cut and Jobs Act of 2017.

TUESDAY, NOVEMBER 12TH

**METROWEST PROPERTY OWNERS
ASSOCIATION MEETING AGENDA**

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

LOCATION

Marlborough Fish and Game
1 Muddy Ln
Marlborough, MA 01752

FOOD

Hot buffet
Beverages
Cookies

PRICING & RSVP

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

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

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

This event is operated by volunteers.

**Marlborough:
Networking and
Speaker**TUE
12/10

Our December event will be held Tuesday December 10th 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: Q&A Open
Forum: Housing
Court**THU
11/14

Our guest speakers for the evening will be from the Worcester housing court. Learn from the professionals on what to do and what not to do, should you find yourself in housing court.

Please email your questions in advance to info@belaire.co with "Housing Court Questions" as your subject line where Brian Lucier, NWCLA President, will be your moderator for the evening.

Please **DO NOT** use actual court cases or dockets for your questions. All questions should be prefaced as "hypothetical scenarios", or your questions will be disqualified.



THURSDAY, NOVEMBER 14TH

NWCLA MEETING AGENDA

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

6:45pm Dinner and Networking

- o Networking draws from 25 towns including Fitchburg, Gardner, Leominster, Athol, Holden, Ayer, Orange, Ashburnham, Spencer, Ashby, Lunenburg, Townsend, Westminster, Princeton, Sterling, Lancaster, Shirley, Groton, Pepperell, Winchedon, Templeton, and Hubbardston.

7:00pm Presentations

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

PARKING

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

FOOD

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

PRICING

Membership not required!
Open to the public.

Early-bird ends seven days prior @ 12pm:

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

After Early bird or at the door:

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

This event is operated by volunteers.

**Fitchburg:
Networking and
Topic TBD**THU
12/12

Our December event will be held Thursday, December 12th, from 5:30p to 8:30p at Monty Tech in Fitchburg. Bookmark your calendar for this premier real estate networking event in Northern Worcester County. Check back later for speakers and topics.

SOUTHERN WORCESTER COUNTY

**Southbridge: Speaker
and Networking**MON
11/04

Our monthly training and networking event will be held on Monday, November 4th.



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

MONDAY, NOVEMBER 4TH

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
12/02

Our monthly event will be held Monday, December 2nd 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.

STATEWIDE

Webinar: *Davis v Comerford*: Advanced Course on Rent Escrow Motions

FRI
11/08

On Monday, September 16, 2019, a significant ruling was issued by the Massachusetts **Supreme Judicial Court** in the case of *Davis v Comerford*. The landlord requested rent be set aside in escrow. The renter argued that not only was escrow unwarranted in this case, but **rent escrow was illegal** in all cases.

Attorney Peter Vickery will walk us through the **amicus brief** MassLandlords filed in the case of *Davis v Comerford*. He will also review the tenant brief and spend most of the hour on the final decision by the SJC. In the decision, the court established guidelines for rent escrow motions. Attendees will leave understanding the factors **judges must consider** when

MassLandlords Thanks Our Property Rights Supporters

Property Rights Supporters make monthly contributions earmarked for policy advocacy.

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SPECIAL MENTION

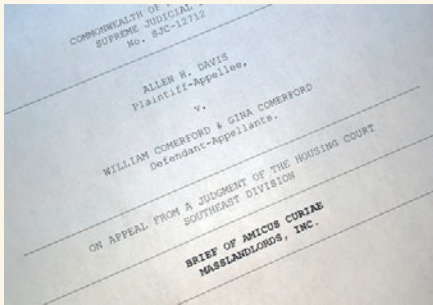
Rental Property Management Services. Banita Burgess.

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. 

evaluating rent escrow motions. Suitable for landlord-tenant **attorneys** and advanced self-represented **DIY landlords**. All are welcome.



Attorney Peter Vickery



**Coversheet of the MassLandlords amicus brief in
Davis v Comerford**

FRIDAY, NOVEMBER 8TH

12:00pm Webinar Begins

1:00pm Webinar Ends

REGISTRATION

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/265729407>

Password will be emailed to registrants day-of 8am.

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Click here to register for this webinar

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





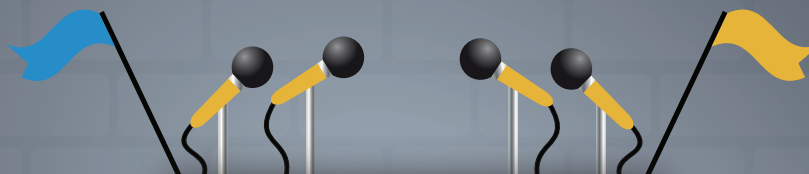
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