

# THE TENANT PROTECTION ACT

*HD.3922/SD.2368, “An Act enabling local options for tenant protections”*

*Lead Sponsors: Rep. Mike Connolly (Cambridge/Somerville) and Senator Jamie Eldridge (Acton)*

## THE PROBLEM

Across the Commonwealth, the affordable housing emergency continues to result in widespread **displacement, cost-burden, and homelessness** — but M.G.L. Ch. 40P often makes it impossible for our municipal officials to take action to stabilize housing for our most vulnerable residents.

## ONE PART OF THE SOLUTION

The **Tenant Protection Act** offers one piece of a comprehensive approach to the affordable housing emergency by enabling **local rent stabilization, just cause eviction protections, and other tenant protections**. It doesn't mandate these protections or prescribe the details for any given community — instead, it repeals the preemptive provisions of Ch. 40P, thereby allowing municipal officials to bring everyone to the table — renters, homeowners, and landlords alike — to consider tenant protections that work on the local level.

## A SET OF FLEXIBLE, LOCAL OPTIONS

The Tenant Protection Act allows a municipality, by vote of its local elected body, to adopt any of the following measures:

- **Rent Stabilization**
- **Just Cause Eviction Protections**
- **Regulation of up-front lease fees** (e.g. prohibiting or limiting Brokers' Fees, and offering payment plans for first/last months' rent and security deposits)
- **Condominium Conversion Ordinances** (offering extra time and relocation cost assistance for tenants facing condominium conversion)
- **Anti-price gouging protections**

## PROTECTIONS FOR SMALL LANDLORDS, AND OTHER EXEMPTIONS

The Tenant Protection Act **explicitly exempts small, owner-occupant landlords** from any rent regulation. In addition, it empowers municipalities to craft broader exemptions as they deem fit or to specify that certain protections will only apply in specific anti-displacement zones. It also includes provisions to establish Small Landlords and Homeowners Assistance Bureaus to offer technical assistance.

## SUPPORT FOR NEW HOUSING PRODUCTION

We have included a new provision this session to **exempt newly constructed housing for a period of 15 years**. In this way, we can further incentivize new housing production and help lessen the pressures of real estate speculation on the existing housing stock (which is where most of our naturally occurring affordable housing exists right now and where rent stabilization will have the most impact).

## FLEXIBILITY AND LOCAL CONTROL

What sets the Tenant Protection Act from other rent control proposals is the emphasis on local control. Because the rental market is different in different communities, we leave it up to municipal officials to decide on the parameters of any local rent stabilization ordinance.