

Somerville Rental Registry and Energy Disclosure Ordinance: Stakeholder Engagement Final Report

Fall 2024

BACKGROUND

In 2023, the City of Somerville was awarded a grant through the Commonwealth's American Rescue Plan Act funds to conduct stakeholder engagement and a feasibility study for a rental registry and energy disclosure ordinance (RRED). In 2024, the city partnered with the Consensus Building Institute (CBI) to conduct the stakeholder engagement, consisting of a set of initial interviews followed by focus groups and a public meeting. This interim report summarizes learnings from these various engagement activities.

In brief, the RRED would require property owners of long-term rental housing units to register and share energy information about their rental units with the City of Somerville. A key objective of the RRED is to provide important information about energy use to tenants considering different rental options to help them make informed decisions. Many aspects of implementation and program design have yet to be determined, like what kinds of building and energy information should be shared and how the registration system would operate.

The idea of a rental energy disclosure requirement was initially put forward as a priority action in Somerville's 2018 [Climate Forward](#) as a result of community, stakeholder, and staff engagement through the buildings working group. Since then, the city engaged in peer learning and research to learn about similar initiatives in other cities, established an internal working group on rental building and energy efficiency standards to build cross-departmental alignment on issues and approaches, and released a Draft Ordinance and Memo from the Mayor in May 2021. The issue has received renewed focus thanks to Mayor Katjana Ballantyne and the City Council's interest in moving this initiative forward. While the strategy originated from climate action, staff quickly learned it would benefit safety, health, housing, energy, and governance, all at once.

This final report includes findings from 20 interviews CBI conducted with 33 individuals in the spring and summer of 2024, ten focus groups with 47 individuals in the fall of 2024, and a public meeting conducted virtually on November 20, 2024. After the interviews but prior to conducting the focus groups and public meeting, CBI drafted an interim report containing provisional findings and recommendations for further outreach. The interim report was distributed to interviewees for comment and their feedback further informed the content of this final report.

METHODOLOGY

Interviews

The engagement methodology consisted of, first, developing an interview protocol and conducting targeted one-on-one or small group interviews. The 33 interviewees came from organizations

representing tenants, landlords and the broader real estate sector (large, small, residential, and commercial buildings), housing advocacy groups, older residents, entities supporting residents who speak English as an additional language, climate advocacy groups, affordable and public housing providers, higher education housing providers, utilities, and various city and state government offices. They were selected based on their strong knowledge of housing issues in Somerville specifically or Massachusetts more broadly, and their ability to represent a cross-section of interested and impacted stakeholder groups.

At the outset of each interview, CBI provided a brief overview of the ordinance, its goals, a timeline for its development, and key issues for stakeholder feedback. Interview questions focused on reactions to the RRED ordinance overall and implementation issues. Specific questions focused on disclosure requirements, opportunities to use the program to connect landlords to energy efficiency and renewables programs, measures to avoid pass-through costs and rent increases, the registration system, awareness raising, the implementation timeline and approach, enforcement, and various issues relevant to specific subsectors (e.g., commercial and industrial buildings; small, medium, and large residential buildings; affordable housing; utilities). A complete list of interviewees, a copy of the interview protocol, a copy of the 2021 draft ordinance, and the interview presentation slide deck are included below in the Appendices.

Focus Groups

After completing the interviews, CBI conducted ten focus groups to raise general awareness about the potential ordinance, vet the interview findings, and hear from a wider range of residents. In general, different stakeholder groups met in different focus group sessions to encourage more candid responses.

The City of Somerville invited residents to participate in focus groups through a variety of methods including issuing a press release, posting flyers, sending via the Sustainaville newsletter, and posting on social media. To increase accessibility of the focus groups and reach a wide range of residents, focus groups were hosted virtually and in-person, offered at different times of the day, had interpretation available upon request, and included a \$40 gift card to residents not being paid by their job to participate.

Focus groups were convened by specific entities when possible in order to meet with residents in venues already known to them. A full list of focus groups, format, conveners, and participant count is below.

Focus Group Audience	Format	Convened by	Participant count
Climate and environmental organizations	Virtual	Commission on Energy Use and Climate Change	5
Landlords: medium to large (5+ units)	Virtual	Office of Sustainability and Environment	2
Landlords: small (1-4 units)	Virtual	Office of Sustainability and	8

		Environment	
Landlords	In-person	Somerville Office of Immigrant Affairs	0
Landlords: older adults	In-person	Council on Aging	10
Professional services (realtors, brokers, lawyers)	Virtual	Office of Sustainability and Environment	0
Tenants	Virtual	Community Action Agency of Somerville	6
Tenants	In-person	Somerville Office of Immigrant Affairs	4
Tenants	In-person	Office of Sustainability and Environment	7
Tenants	Virtual	Office of Sustainability and Environment	5

At the outset of each focus group, CBI provided a brief overview of the ordinance, its goals, a timeline for its development, and key issues for stakeholder feedback. Focus groups with more than six participants were conducted in two breakout groups to give participants ample time to share their perspectives. Focus group questions focused on reactions to the RRED ordinance overall and implementation issues. Specific questions focused on disclosure requirements, opportunities to use the program to connect landlords to energy efficiency and renewables programs, measures to avoid pass-through costs and rent increases, the registration system, awareness raising, the implementation timeline and approach, enforcement, and various issues relevant to specific subsectors (e.g., commercial and industrial buildings; small, medium, and large residential buildings; affordable housing; utilities). A complete list of focus group questions is included in the Appendices.

Because there were zero participants in the focus group for individuals representing the professional services industry, CBI conducted twelve additional phone interviews in fall 2024 to ensure perspectives from this sector were included in the Findings.

Public Meeting

CBI facilitated a virtual meeting with members of the public on November 20, 2024. During the meeting, city staff shared background on the RRED and CBI summarized the public input received through the interviews and focus groups. Attendees were then invited to share their reactions to the RRED and the public input. The agenda and a summary of the public meeting are included in the Appendices below.

Compilation

Notes from each interview and focus group were compiled and reviewed with an eye towards identifying similarities, differences, and broader themes. The section below on Findings reports on

overall themes, stakeholder-specific perspectives, and issue-specific perspectives from across these engagement activities. Additional input received from the Public Meeting is included in the meeting summary in the Appendices. Responses are reported without attribution.

Throughout the report the phrase landlord is used as a catch all term for property owners, landlords, building managers, or whomever would be designated responsible for submitting information. Only the property owner would be accountable for submitting rental registry and energy disclosure information.

FINDINGS

Overall Reactions

A majority of stakeholders had a positive overall reaction to the idea of a RRED ordinance, although many had mixed reactions or suggested their support would depend on how the ordinance is implemented or what other policies it is combined with or leads to. A minority of stakeholders had a negative reaction to the ordinance and some shared significant concerns about how it might be implemented.

Stakeholders who supported the RRED suggested that a rental registry could help tenants make more informed decisions about where to rent, enable landlords to showcase positive elements of their rental properties, provide useful data to municipal and statewide building decarbonization incentive programs, and improve the quality of city governance through providing officials with information on rental building ownership, locations, and characteristics.

Many stakeholders, regardless of whether they supported or opposed the ordinance, suggested that the ordinance on its own likely would not have a significant impact on achieving the city's climate goals. They did not anticipate that energy disclosures would be a major driver of tenant decisions on where to live (at least as compared to other factors like monthly rent), or a major driver of landlord decisions on building energy improvements (at least as compared to other factors like available incentives).

Nonetheless, many interviewees highlighted energy disclosures as a necessary initial step towards achieving the city's broader climate goals, and as a way to empower tenants through providing more information on potential rental units and total rental costs. At the same time, stakeholders cautioned that the extent of the positive impacts depends largely on the nature and quality of the data collected and the city's capacity to manage implementation challenges.

Notwithstanding the broadly positive reaction of most stakeholders (especially among tenants and climate advocates), a number of landlords and realtor representatives shared significant concerns and critiques. Some landlords and landlord representatives focused on the administrative burden of providing energy information, questioned the wisdom of adding additional steps or challenges to the rental process in the context of a highly constrained regional and local housing market, and expressed concerns around data security and privacy. Some, in particular older landlords, viewed the ordinance as part of a broader trend towards increased city government interference with their rights as property owners, and associated it with larger demographic and social trends that they feel have dramatically changed their quality of life within the city overall.

Many stakeholders saw the ordinance as an initial step towards the development of municipal building performance standards (BPS), or the requirement that existing buildings meet greenhouse gas and/or energy emissions-based performance standards. Other municipalities with rental registries often develop an adjacent piece of legislation to develop BPS. This observation drew mixed responses, with some characterizing the eventual development of BPS as inevitable and necessary towards achieving climate goals, and others expressing concerns around impacts on the rental market, low-income landlords, and housing costs, in particular for low-income renters. To address these challenges, landlords encouraged the city to focus on expanding access to incentives programs, while stakeholders from multiple sub-sectors cautioned the city to pay close attention to impacts on affordability (e.g., due to landlords increasing rents and/or landlord owners of naturally occurring affordable housing leaving the market). Stakeholders also highlighted the critical importance of implementation details, such as the program's accessibility, ease of use, and attention to the needs of specific groups such as the elderly, landlords and tenants for whom English is an additional language, the immigrant population, low-income residents, and housing insecure residents.

Specific-stakeholder perspectives

This section details specific feedback from different stakeholder groups. Stakeholders are grouped together based on whether they exhibited similar perspectives. The summary below reflects only the perceptions and beliefs of stakeholders consulted. These ideas are not endorsed by the city nor have they been corrected for accuracy.

Tenants

A large majority of tenants reacted positively to the ordinance. Many tenants characterized the ordinance as a way to increase tenants' rights, introduce more transparency into the rental process, promote landlord accountability, and set a new standard for other cities in Massachusetts to follow. They highlighted the value to prospective renters of being able to predict the potential energy costs and livability/comfort of different units. Many tenants suggested that predicted energy costs were the most valuable type of information they would want to get from the database. Some noted that the actual energy costs paid by a tenant in any given year might not be especially helpful, since it will depend on that year's weather and where that particular tenant sets the thermostat. Some tenants also noted that they have found ways to learn about energy information even without the existence of a registry, such as by asking previous tenants about their utility bills. As a result, some tenants expressed interest in an overall efficiency score that would account more holistically for the unit's energy features and expected performance, for example through a formula that translates data into predicted costs and/or a building or unit energy rating. Some tenants stressed that the formula would need to be well designed, based on reliable data, and transparent, or else most people would simply ignore it.

Tenants noted benefits of other information as well, like landlord contact information, beneficial ownership information (i.e., individuals or entities with an ownership stake in the entity that officially owns the property), annual or monthly rent, appliance heating and cooking fuel types and efficiency, insulation, the date of the most recent Mass Save audits and energy efficiency measures undertaken, and years of major appliance, roof, or window replacement/upgrades. Stakeholders predicted that even tenants who do not pay for utilities would be interested in knowing information about a unit's energy features, since these features could impact their comfort living in the unit, and

serve as a signal regarding the overall level of care and upkeep the landlord is providing for the rental unit. Tenants also expressed interest in some data that we did not affirmatively ask them about, like a listing of complaints against the landlord, the outcome of any inspections, information related to ventilation and air quality (like mold), information about the duration of past tenants' occupancy (though not their names/identity), information on whether a unit is available for rent, and suggestions on available units similar to the one being reviewed.

Tenants had different perspectives on the relative value or importance of these different types of information, although they consistently highlighted the benefits of being able to predict expected energy costs before deciding to rent a unit.

Tenants suggested the registry would be useful if it is widely known, is easily accessible online, includes data from all building types (including buildings owned by small-scale landlords), is searchable, is filter-able around building/unit and energy characteristics, is accessible from the typical places where they find rental postings like Craigslist, Zillow, and Apartments.com, and if it includes accurate and reliable data. However, most tenants predicted that the information in the registry would not have an especially strong impact on their decisions on where to rent, mostly because energy costs are so small in comparison to overall monthly rent for many renters in a city like Somerville with very high housing costs. For this reason, while they hoped the RRED might be a tool to encourage landlords to upgrade their buildings, most predicted it would not have a significant impact. By and large, these tenants were much more supportive of the ordinance when discussing it as an initial step towards a BPS program rather than as a standalone program.

Despite the overall support for the ordinance among tenants, some expressed concerns around creating additional paperwork for landlords and city staff and around data reliability. A number of these stakeholders suggested that incentives or mandates are likely more effective mechanisms to advance decarbonization measures compared to disclosures. They cautioned that data provided by individual landlords might not be accurate if it isn't verified in some way, or if there are no consequences for misreporting data. In the absence of clear accountability mechanisms, they expressed concern that landlords might intentionally misrepresent their properties, or simply make mistakes if the form is overly complicated or burdensome.

Tenant representatives and low-income advocates:

CBI interviewed a number of stakeholders who support or represent tenants and/or advocate on behalf of low-income residents. Like the tenants themselves, these stakeholders generally reacted positively to the RRED and focused on the benefits of increasing tenants' access to information to inform their housing choices. Just like the tenants, many of these stakeholders noted that the most valuable information would be projected energy costs, to improve tenants' understanding of total costs associated with renting particular units.

These stakeholders also raised important concerns around accessibility, noting the importance of ensuring information is accessible to non-English speakers and disclosures are provided in non-technical, plain language. They cautioned that tenants should not be relied upon to provide enforcement capacity, given the power dynamics at play and the vulnerability of low-income tenants in particular.

As noted above, a number of these stakeholders saw the RRED as an initial step towards a BPS program and emphasized the importance of proactively addressing affordability concerns associated with BPS. They suggested the city consider the RRED as part of a broader portfolio of buildings programs, which together must ensure positive impacts on low-income and vulnerable residents. In this context they highlighted the importance of the city's pending home rule petition on rent stabilization and suggested that conditions for incentives should be paired with any mandatory performance standards (e.g., limits on rent increases for landlords who receive incentive payments).

Climate advocates and policy researchers

Climate advocates and policy researchers were strongly supportive of the RRED overall and saw it as a limited though important step to enable the city to achieve its climate goals. Like many tenants, they suggested the RRED in and of itself might not have a large impact on the market dynamics behind the split incentive problem (i.e., the perception that landlords don't directly benefit from the energy efficiency upgrades they pay for), due to overall housing costs in most Somerville housing units. Nevertheless, they suggested the RRED could eventually have a large decarbonization impact by enabling future performance standards and other measures.

Policy researchers emphasized the benefits of having more available data and suggested the more comprehensive and granular the data the better. For example, information on beneficial ownership could help address existing challenges identifying the "true" owners of multiple properties across the city (even if, for example, they are each incorporated under a separate LLC). This would help tenants and researchers learn more about the reputation and ownership behaviors of potential landlords and understand ownership patterns across the city. It would be even more useful if the database included links to other properties with the same beneficial owner or owners, or a filtering mechanism to easily identify these properties. Information on rent could be used to track cost trends over time.

Information on appliances within a unit, energy efficiency or renewable energy installations or renovations, and cost data could help researchers and city officials learn more about which kinds of interventions successfully incentivize decarbonization within which kinds of buildings. Information on rents could help city officials and researchers evaluate the extent to which building upgrades are associated with increases in housing costs, which could be used to help improve program design. One stakeholder noted that this data is likely to grow increasingly valuable the longer it is collected, and suggested the city should try to include data from several years in the past.

Another stakeholder highlighted how two specific types of data could be especially useful to contractors trying to advance building decarbonization measures. Specifically, information on the voltage of a unit's electric panels can clarify which units are heat pump ready, and knowing whether a property is owner- or renter-occupied can clarify what outreach approaches will be most effective.

A number of climate stakeholders suggested it would be very helpful to include an energy score calculation as part of the RRED both because of its value to tenants as a single, overall measure of a unit's energy features, and because it would help prepare the city to implement a BPS program. Specifically, a well-designed BPS program could require building owners to achieve a particular energy score threshold, while giving them flexibility on the specific upgrades they choose in order to reach that threshold. In addition, the score calculations should be consistent with building codes and

aligned with systems in place or under development in other municipalities (e.g., BERDO and BEUDO) and statewide.

One stakeholder offered very specific advice on the pathway the city should take towards developing a BPS program for rental units:

1. Launch the RRED and use it to gather energy data on rental units across the city.
2. Use this data to learn about usage patterns in order to target specific properties for energy upgrades and create new incentive programs where needed.
3. Launch a BPS program that will require landlords to achieve a certain level of efficiency/decarbonization in their units in order to rent them.¹

This stakeholder suggested that Boulder, Colorado utilized a pathway similar to this one over the course of nine years. The stakeholder commented that Somerville will need to move much faster than this if the city is to achieve its climate goals.

Some climate advocates suggested the city could be strategic in how it designs program energy disclosures, in order to raise awareness about climate and building decarbonization issues. For example, if a landlord is renting a unit that falls short of certain energy metrics, some climate advocates recommend the tenant be presented with or required to sign a disclosure form, similar to a lead disclosure form, acknowledging that the building is contributing to GHG emissions.

Small- and medium-scale landlords:

Small- and medium-scale landlords had mixed reactions to the idea of the RRED, with some expressing ambivalence or measured support, and others expressing opposition. Many of the landlords with mixed feelings about the ordinance noted that they had already made a number of energy upgrades to their rental units (through Mass Save and otherwise), and expressed support for the city's efforts to address climate issues. Some added that they already ask past tenants for information on their energy costs, and provide this information to prospective tenants. These stakeholders were not necessarily opposed to the overall idea of the ordinance, but they had specific concerns about how it might be implemented and what it might require of them. For example, some landlords expressed significant concerns around the privacy of their personal identifiable information (PII), for example because they might receive an influx of spam messages, or in extreme cases because the disclosure of PII on a public database might create risks to their personal safety.

Among those landlords who reacted more positively to the ordinance, a number were very supportive of the idea of increasing transparency for tenants. Some also noted that the registry could provide an opportunity for them to distinguish themselves and showcase the positive features of their units. A number of these stakeholders offered suggestions about additional information the city could include in the database along these lines, such as Inspectional Services Department complaints (and their severity), a unit's accessibility features, off-street parking, in-unit washer and dryer, and available storage.

All small- and medium-scale landlords with whom we discussed the issue expressed concerns around disclosing rent history. Some suggested that such a requirement could lead to unfair

¹ The city's [community climate action plan](#) released in 2018 specifies a very similar pathway.

outcomes or perverse incentives that would make it harder for landlords to provide naturally occurring affordable housing. For example, the public disclosure of rent history might make it harder for a landlord to raise rent up to market level after providing below-market rent to a long-standing and desirable tenant who eventually leaves a unit. If landlords are fearful of this outcome, they may become less likely to offer below-market rent.

These landlords further noted that the public disclosure of rents when a landlord has multiple units could complicate the landlord's relationship with current tenants. For example, certain tenants might believe they are being charged unfairly compared to others, even if there are good reasons for different rent levels. More than one landlord commented that if the city were to include rent history among its required disclosures, it would suggest to them that the ordinance is not really about climate and is more about setting the stage for rent control.

Other small- and medium-scale landlords expressed concern about burdensome or difficult-to-fulfill disclosure requirements, suggesting that the experience of providing data should be as simple and streamlined as possible. For example, once data is provided in a given year, landlords suggested that they should not have to provide the same data in future years unless there are relevant changes.

In every landlord focus group, stakeholders expressed concerns around being required to provide tenants' utility data. They noted that they do not have access to this data on their own and the city should not require them to obtain it from tenants. To these landlords, such a requirement would be unfair to landlords whose tenants may not be willing to provide the information, and unfair to certain tenants who may not feel like they have any choice but to provide it to their landlord due to the power dynamics at play. Landlords suggested that the city should instead seek this information from the utility companies themselves.

Some landlords also highlighted the challenges of getting information on energy usage or costs for units that use oil heat, where energy data is dispersed across a large number of delivered fuel companies rather than just two utility companies. One landlord further noted that if the ordinance focuses on energy costs (as opposed to efficiency measures) then it might create a perverse incentive for landlords to avoid renting to people who appear likely to use more energy, for example if they work from home.

Landlords also noted that some of the information the city seems to be considering as part of the registry may be difficult for them to obtain and/or burdensome to provide. For example, landlords are not often aware of major renovations that happened before they purchased a property, and long-time landlords may not have accurate records of major renovations from years or decades in the past. They may or may not know information about window age or efficiency, insulation, construction materials, or appliance efficiency, and finding and compiling the relevant data could take significant effort.

Small- and medium-scale landlords further recommended that the registration and disclosure system be as easy to navigate and use as possible. They noted the importance of paying close attention to accessibility issues since many small-scale landlords come from vulnerable populations like the elderly, non-native English speakers, or low-income groups.

Older small-scale landlords:

Some small-scale landlords, in particular older landlords who may be long-time Somerville residents, expressed strenuous opposition to the ordinance. These landlords saw the RRED as another “tax” on building owners, and a clear stepping stone to BPS and rent control. They expressed broad opposition to government interference in the rental market and concerns around what they see as mounting city requirements and expenses for landlords.

Many of these landlords framed the issue around their rights as property owners to keep information private and make their own decisions around how they want to manage their properties. They suggested that they represent a shrinking sector of the real estate market that is still offering reasonable rents, and they may not be able to continue doing this if the city keeps implementing measures that increase their expenses. A number of these landlords commented they would sell their property or stop renting it if the ordinance passes. They suggested rental units in small, owner-occupied buildings should be exempt from the ordinance, and the city should focus instead on buildings owned by large corporate landlords. They further suggested it would be essential for the city to provide actual human compliance support for landlords in person at City Hall or by phone, and that they provide an extended implementation timeline for small-scale landlords (e.g., five years) before any fines are issued. Many of these landlords also reported frustrations with the Mass Save program, highlighting their inability to find affordable ways to implement energy upgrades.

Large/commercial landlords and business interests:

Stakeholders from this sector shared many of the same concerns as small-scale landlords. They suggested the city should focus on identifying and expanding the resources it is providing to landlords to enable decarbonization rather than implementing a disclosure mandate. They expressed concerns about the potential administrative burdens and additional costs of the program for both the landlord and the city. They also noted concerns about landlords being held accountable or receiving negative energy “scores” due to issues perceived to be outside their control, like a long-standing tenant who refuses to let a landlord make energy efficiency improvements or who uses an inordinately high amount of energy, and about RRED compliance issues being raised as a way to hold up otherwise valid eviction proceedings. They cautioned that landlords should not be held responsible for obtaining information from tenants, like energy cost data, that they cannot easily procure on their own.

Some of these stakeholders questioned the need for the program. They highlighted improvements to Mass Save in its most recent three-year plan for 2025-27, including increased equity budgets and a new programmatic approach for rental properties in disadvantaged communities, as well as the more stringent building codes being adopted by cities and towns statewide. They suggested that the city would do more to support decarbonization if, instead of implementing the RRED, it directed its resources towards connecting landlords to new Mass Save incentives programs focused on the rental sector.

Some of these stakeholders also questioned the rationale and wisdom for combining a rental registry with energy disclosure requirements, noting that they have very different goals and pursuing them as part of a single program could create unnecessary complexity and administrative burdens. These stakeholders suggested that rental registries on their own can be highly complex — in particular for a city with as diverse a housing stock as Somerville — and adding an energy disclosure component at the same time could create confusion, higher costs, and low compliance

rates. They commented that tenants can already request information about utility costs, and these costs are sometimes included in rent. Some of them argued that the program will lead to increased scarcity of available housing for lower income residents, noting that heating systems can be expensive to upgrade and often cannot be done without significant disruption to tenants, and landlords need to recoup investments in their properties.

Some of these stakeholders argued the city should learn more about the program's potential administrative burden, costs, and impact on the housing market before implementing it citywide. One stakeholder group suggested starting with a rental registry first before deciding to implement energy disclosures, implementing a pilot in public affordable housing units in collaboration with the Somerville Housing Authority, or using the approaches adopted by Boston (BERDO) and Cambridge (BEUDO) as sensible and proven approaches towards disclosures and performance standards, instead of the RRED.

Another of these stakeholders also noted the complexity involved in collecting information on issues like beneficial ownership and the need to ensure it does not create significant and unworkable burdens on building owners or the city. Any given corporate entity might have an extremely large number of beneficial owners whose identities and percentage of ownership are changing repeatedly. The stakeholder suggested that if the RRED were to require repeated disclosures of every shareholder in a given ownership entity, it would be an extremely laborious effort to update. They further noted that some disclosure requirements that might be workable for smaller-scale landlords would quickly become unwieldy for the owners of larger buildings. For example, reporting on the efficiency of all windows and energy equipment in a 100-plus unit building where there have been replacements and upgrades at different times across different units using different equipment, and updating it yearly with relevant changes, would be a complex and time-consuming endeavor.

Landlords questioned why the city needed to burden landlords with providing information to a registry when that information may already be available elsewhere. For example, they suggested landlord contact information is already available to tenants, since landlords are required to include it in leasing documents and post it within buildings. Likewise, they suggested information on renovations can be found within the city's permits database, and the address of rental units and the names of building owners can be found in the assessor's database. At a minimum, they recommended the city should port this pre-existing data into the registry so that landlords do not need to enter it on their own.

Stakeholders from this sector also emphasized the importance of paying attention to the overall reputation of Somerville as a place for doing business. They noted that real estate investment trusts (REITs) look at a city's overall business climate when deciding where to invest, and even a RRED ordinance that imposes minimal requirements could dampen real estate investment by signaling that stricter measures will be coming down the road. One of these stakeholders also asked questions about the extent of the city's legal authority to require energy disclosures as outlined in the RRED.

Professional Service Providers

These stakeholders included realtors and brokers, property managers and contractors. Stakeholders in this sector expressed measured support or opposition to the ordinance. Those who supported the ordinance saw it as beneficial in increasing transparency for tenants. Several realtors noted that

they already offer information to prospective tenants about utilities and recent upgrades. They suggested that a RRED could be helpful in supplementing the information they already had, provided the data was accurate, though many professional service providers worried about the accuracy of the data. Several realtors indicated that they would not share this data with prospective tenants, fearing that they could be held liable for information that was incorrect.

Several property managers and realtors were also landlords and spoke from both perspectives. A few property managers indicated that it would be easy to provide information for the properties they manage. These stakeholders managed relatively new, high-occupancy buildings with a single owner. Stakeholders with strong opposition to the ordinance emphasized the challenge in collecting accurate data, especially for older housing stock. Many realtors and property managers perceived the ordinance as another bureaucratic hurdle and a misallocation of city resources. These stakeholders did not see a clear incentive for landlords within the ordinance, and were doubtful that the ordinance would encourage landlords to invest in energy improvements. Stakeholders reiterated that as long as there are people willing to pay market price for rental units, landlords will fill their units without additional improvements.

Engagement with contractors was limited. Of the two contractors interviewed, both indicated that the RRED would have limited value in their work. Both indicated that they saw energy efficiency improvements being driven primarily by building code regulations. One contractor emphasized that it would be difficult to provide energy information in a way that gave tenants an accurate sense of energy efficiency. The contractor pointed to insulation as an example, recognizing that the same type of insulation performs differently depending on the context and associated building design.

University, public housing, and non-profit affordable housing providers

These stakeholders expressed concerns around the administrative burdens of the ordinance and its applicability to their buildings. They suggested that the rationale for energy disclosures is lacking for their buildings, since in general they, not the tenants, pay for utilities. They suggested that they provide a public service by housing students and/or low-income residents, and questioned the wisdom of adding an additional city requirement that could increase their administrative costs. In many cases, they claim they also lack unit-by-unit energy data because their units are on a single system. For these reasons, many of these stakeholders would like their constituents to be granted an exemption in the ordinance.

If the city decides to move forward with the ordinance and does not exempt these providers, they suggested it will be critical to ensure the registration system is easy to use and allows for bulk submission of data (e.g., a single spreadsheet for a large number of units), and that it avoids duplicating burdens from other city requirements (e.g., pre-existing requirements around disclosures of university property) by asking for the same or similar data twice.

Utilities

The conversation with utility representatives focused on whether and how to leverage utility data on energy usage as part of the RRED. Utilities have information on energy usage and costs for tenants who hold accounts with them, whereas landlords do not have direct access to this information. Utility representatives noted that they are happy to work with the city on implementing a RRED program, though they need to comply with laws protecting the privacy of account holders' information. Absent a change in relevant law, they cannot disclose the energy

usage information of individual account holders to landlords or to the city unless the account holder (i.e., the tenant) provides consent. In Boston and Cambridge, as part of existing programs like BERDO and BEUDO, they currently share energy information with landlords for larger buildings — specifically overall energy usage in buildings of more than four units where no single unit uses more than 50% of the building’s energy — but they do not share unit-by-unit information or information on smaller buildings unless the tenant provides consent. They suggested that the city could either require landlords to get tenant consent for smaller units or rely on aggregated or less granular data that would not implicate privacy issues. They noted that granular, unit-by-unit information may not be particularly helpful in any case, because within any given year it is largely driven by tenant behavior rather than building characteristics. They also noted that any program that incorporated utility data would need to consider how to apply the program to delivered fuel customers, who use a wide range of fuel suppliers.

Utility representatives further noted that there are complexities around their accounts systems and program implementation costs. Specifically, for historical reasons the utilities do not have accurate data on which accounts are associated with which building addresses. It is therefore not a straightforward endeavor to simply combine data from specific accounts to calculate overall energy usage from a specific building. An initial effort at collecting and verifying data to associate different accounts with specific addresses would need to take place, which would take time and require building owners to provide key data. Likewise, the utilities would incur costs associated with implementing any program that includes utility data, and the city would need to consider who should bear these costs (e.g., statewide ratepayers, Somerville ratepayers, Somerville taxpayers, etc.).

Somerville and Massachusetts staff

Somerville city staff offered various perspectives on how to implement the ordinance effectively. They noted that a program of this type is necessary for achieving the city’s climate goals, and that the data collected could help with other basic municipal functions through enabling targeted outreach on a variety of issues (e.g., trash collection, others). They also highlighted the importance of ensuring effective program management taking into account the different capacities and responsibilities of different offices. Specifically, if OSE manages the program but the Inspectional Services Department (ISD) is in charge of enforcement, it will be important to work with officials from both offices to ensure clarity around institutional responsibilities and seamless institutional “handoffs.” City staff also emphasized the importance of designing an effective rollout of the plan, with broad awareness raising efforts through relevant city departments.

Massachusetts state officials from the Clean Energy Center (MassCEC), the Department of Energy Resources (DOER) and the Executive Office of Energy and Environmental Affairs (EEA) likewise expressed support for the program and highlighted its value in helping Somerville achieve its climate goals. Some also caution around the potential burden of administering a program that targets such a wide array of building types, including both large and small buildings, and agreed with the perspective that disclosures alone are unlikely to drive significant behavior change. They suggested the city think about how to align the program with the Commonwealth’s potential home energy scorecard program, currently in development, and leverage lessons from Boston’s BERDO and Cambridge’s BEUDO for larger buildings. For smaller buildings, they suggested the city look at existing scorecard programs that try to leverage public or easily accessible information (like year of

construction or most recent major renovation, building type, number of units, etc.) along with machine learning to generate baseline estimates of building efficiency and energy costs.

Issue-Specific Perspectives

This section describes overall stakeholder perspectives on specific issues. For each issue, the section highlights key policy choices that City Council should consider based on stakeholder feedback. In some cases, stakeholder feedback was fully or mostly unified, suggesting a clear policy direction. In others, stakeholder feedback suggested divergent interests that will need to be bridged or weighed against each other. The summary below reflects only the perceptions and beliefs of stakeholders interviewed. These ideas are not endorsed by the city nor have they been corrected for accuracy.

Registration information and energy disclosure requirements

Stakeholders offered a wide range of ideas for the kinds of registration information and energy disclosures that should be required. As noted above, tenants, climate advocates, researchers, and low-income tenant advocates highlighted the value to prospective renters of being able to predict the potential energy costs associated with different units, and noted the benefits of data like owner contact information, past rent, the duration of past tenants' occupancy, unit availability, beneficial ownership, history of complaints against the owner and/or inspectional services tickets, appliance fuel types and efficiency, insulation, recent Mass Save audits and energy efficiency measures undertaken, electric panel maximum amperage, ventilation and air quality information, and years of major appliance, roof, or window replacement/upgrades. Stakeholders noted that the city could consider making some of the information it collects publicly available, while keeping other information available to the city only.

Building owner representatives, on the other hand, noted that much of this information may be challenging or impossible for landlords to obtain; at least some of it might already be available or required in places like the assessor's database, CitizenServe, lease documents, and postings within buildings; and the burden of providing it and keeping it up to date could be significant for all landlords and especially the owners of large buildings. Building owner representatives were adamant that they should not be held responsible for providing energy cost information, like utility bills, that they could only obtain via tenants.

In reflecting on how the city could develop an energy "score" for different units, various stakeholders suggested that actual energy costs are not a useful metric. Stakeholders suggested multiple reasons for this: different users may pay different rates for their energy (for example, if they qualify for low income rates), energy usage for any single year is highly variable due to annual weather variations, and even multi-year energy usage data may not be especially useful for any individual unit because it is highly dependent on occupant behavior (for example, it will vary based on where the occupants set the thermostat, whether they work from home, and other factors). Furthermore, as noted above, absent a change in the law, data on individual account holders' energy usage cannot be made available by utilities due to privacy concerns, absent the account holder's consent. Massachusetts state officials suggested that where energy usage *can* be a useful metric is when it comes to tracking the overall performance of large buildings over multiple years.

For these reasons, some government stakeholders with experience designing or researching similar programs suggested that the most useful data for developing a building "energy score" should vary by building size. They noted that experiences among European countries suggest that the most

successful energy scorecard programs (e.g. Ireland's) use utility data for large buildings, and rely on building characteristics (e.g., weatherization, energy efficiency, type of heating fuel) for smaller ones.

Several stakeholders suggested that in designing a program, the city should ensure it is aligned with and leverages the statewide law on energy disclosures for buildings over 20,000 square feet and the potential statewide home energy scorecard program for smaller buildings (which would be based on the U.S. Department of Energy's home energy score program). More information on progress towards a home energy scorecard program will be available at the conclusion of the current 2025-27 Mass Save strategic planning process.

Stakeholders from multiple different sectors emphasized the importance of ensuring any energy score system is sophisticated and transparent. Otherwise, they suggested the score will just be "noise" and most people will ignore it. As noted above, some state government stakeholders with experience designing or researching similar programs (and some climate advocates) recommended the city could look to the various companies that provide building energy ratings based on publicly available information using machine learning. These stakeholders noted that, though there is a cost associated with bringing in a private company to do this work, these ratings could be used to provide a default rating for each building across the city. The default rating could apply unless and until a landlord provides more accurate information, for example based on a Mass Save audit or a HERS rating. This could help minimize the disclosures required of landlords while effectively incentivizing them to disclose more if they choose to, and at the same time ensuring there is a baseline of energy information available for all buildings. These stakeholders pointed to examples of similar programs operating in other cities (e.g. Montpelier, Vermont and Boulder, Colorado) as potentially informative.

Policy considerations: These questions give rise to various policy choices, in particular whether and how the city is willing to pay utilities to establish a system for data collection, whether the city is willing to put a requirement on landlords to ask for information or on tenants to disclose information, if different kinds of information on energy features would be useful to collect, how to ensure compliance with privacy laws, and whether or not it is feasible or financially viable to adopt or create an energy score for buildings or units and if so how to use data to develop a score that is accurate and fair. More broadly there is the question of how much could or should be required of landlords in providing detailed or burdensome information, and how much should be expected of city administrators in managing a complex program. Those interests must be weighed against the interest in developing a useful and comprehensive dataset and accurate energy "scores."

Exemptions

As noted in the section above, various stakeholder groups suggested they should be exempt from the ordinance including small landlords who live in an owner-occupied unit within the same building as their rental units, higher education housing providers, public housing providers, non-profit affordable housing providers, and other landlords who pay for utilities. These stakeholders focused on the public benefits they provide, the administrative burdens of RRED compliance, and the belief that a rationale for the ordinance (i.e., the split incentive problem) does not exist in units where the owner pays for utilities. Other stakeholders, such as tenant advocates and landlords not in the categories listed above, adopted the opposite stance. They highlighted the benefits and fairness of a more broadly applied program, and in some cases expressed anger at the idea of the program

carving out exceptions for specific landlord constituencies deemed to have more political influence than others. They noted that tenants might still want information about energy issues even if they do not pay for utilities.

While there were strong differences of opinion on exemptions, stakeholders from across multiple sectors suggested that the ordinance could apply differently to differently-sized landlords. In particular, there could be more compliance flexibility and assistance to small-scale landlords.

Policy considerations: There is a policy choice on this issue between consistency, perceived fairness, and broader data collection on the one hand, versus various sectoral goals on the other (such as housing students and maximizing the quality and quantity of affordable housing). To support decision-making on this issue, it could be helpful to learn more about opportunities to minimize administrative burdens on small-scale landlords in buildings with owner-occupied units, as well as university, public housing, and non-profit affordable housing providers, through effective program design.

Registration system and timing

Stakeholders offered a variety of feedback on the design of the registration system and timing of registration. Multiple landlords and large building owner representatives emphasized the importance of a streamlined registration system. They suggested the city should enable bulk data submission (e.g., through a spreadsheet), automatically port existing data from other sources (like the assessors' database) so landlords do not need to re-enter it, allow for simple automatic affirmation of data if it has not changed from one year to the next and, in particular for large buildings, avoid burdensome requirements like updating the registration every time there is a new lessee. In one focus group, participants suggested there should be a text box enabling landlords to offer explanations for the individual circumstances regarding a unit, and that the system should offer a clear explanation of data privacy protections.

Stakeholders also offered various recommendations on making data entry more accessible: providing a non-online option and in-person support (in particular for older landlords), providing translation and language support, and using plain language. Some stakeholders noted that CitizenServe has benefits as a platform since people may be accustomed to using it, but it can be difficult to make it user friendly and it is not currently ADA accessible or translatable. There are ways to address these issues, but they should be designed in consultation with the relevant expert city officials.

Both landlords and tenants highlighted the importance of ensuring data accuracy and expressed concerns around the reliability of self-reported, unverified data from individual landlords. They suggested it would be better if data came from third parties like utility companies. Some stakeholders also expressed concerns about the rollout of the system and suggested it might be helpful to utilize a pilot phase with a smaller number of landlords before rolling out the system city-wide.

There was no clear consensus on the optimal registration deadline, with some stakeholders suggesting it should be timed to provide updated data in advance of when tenants are looking for September rentals (e.g., early summer), another noting that July 1 is the state deadline for energy disclosures and could therefore make sense as a deadline, another countering that summer should

be avoided because it coincides with the beginning of the fiscal year and is therefore an especially busy time for ISD, and another suggesting that November 1 makes sense for some building owners because it coincides with the registration deadline for corporate reporting to the Massachusetts Secretary of State. No stakeholders objected to November 15 as a registration deadline, though a number of them noted that this is not the best date for tenants since the data will not be up-to-date at the time many leases turn over in September. Some stakeholders suggested enabling early registrations to mitigate the impact of the deadline.

Policy considerations: The key policy consideration on these issues is around program staffing and resourcing, as well as the importance of careful design. Stakeholders highlighted the complexity of the buildings sector and the potential difficulties obtaining broad compliance, especially among more vulnerable landlord populations, and encouraged the city to ensure the program is sufficiently resourced to ensure an effective design and sufficient support for compliance.

Accessibility and Awareness Raising

Stakeholders had various suggestions regarding how to develop an accessible system and raise awareness among both renters and landlords. Overall, stakeholders suggested that a well-designed online registry would be the most important resource for prospective tenants and members of the public seeking data on rental units. Various stakeholders across sectors emphasized the importance of professional, accessible, human-centered website design. They highlighted the value of features like a simple or short URL, searchability (e.g., by address, unit type, building type, energy features, etc.), using plain language, ADA compliance, availability in multiple languages/translation, the ability to use filters, open access, the ability to aggregate data, the ability to download data as a .csv file, and use of a public API. In one tenant focus group, stakeholders suggested the database should include an interactive map with visual features, like color coding for energy performance and/or standards compliance. One stakeholder suggested that systems like this have already been developed in Denver and in Washington, DC.

Stakeholders also suggested the database should specify the date when data was uploaded and by whom, and specify what data has not been submitted or is incomplete. They also highlighted the value of including educational information with the data, for example explanations for tenants on the meaning or potential value of different energy features, and information for landlords on where to go to access support and/or incentives to make specific energy improvements.

There was also strong support, especially among tenants and climate advocates, for including an energy disclosure form in the packet that tenants receive when signing a lease. Stakeholders acknowledged that disclosures within the lease packet would not help tenants in making rental decisions (because they would receive these forms only after already deciding to rent), but suggested they would still be helpful in terms of promoting landlord accountability.

Stakeholders offered mixed opinions on the value of providing a physical notice of property and energy information in buildings. Some commented that it would be nice to have data visible within buildings, especially for people who may not be as technologically aware, while others disliked the idea of adding “clutter” to the urban environment, especially in large buildings with many units.

Stakeholders offered suggestions on how to raise awareness about the registry among renters and landlords, and how to make it more widely used. Tenants suggest the city should integrate the

registry with or connect it to places where people look for apartments to rent, like Zillow, Apartment.com, Craigslist, Facebook, Facebook groups, and broker sites. If the apartment listings at these websites included links to the online registry, tenants suggested they would be much more likely to use it.

Stakeholders also shared where they learn about city initiatives like the RRED, including via city emails, the city website, flyers, physical mail, social media platforms (e.g., Instagram, Facebook, Tik Tok, Reddit, Discord, etc.), libraries, community groups, information sessions, organizational newsletters, and events in town (e.g., Union Square Downtown, Arts in the Armory). Various stakeholders across sectors suggested that the best way to ensure landlords receive a message is to send it via physical mail on city letterhead, potentially attached to a city utility bill.

Policy considerations: Policy considerations on this issue relate to how much the city is willing to invest in designing an online RRED database to make it accessible and usable, and judgment calls about whether and how to include RRED disclosures within lease packets and within buildings. Beyond these issues, it is a question of ensuring robust and varied outreach to leverage the many different ways citizens access information and learn about city initiatives.

Connecting to energy efficiency and renewables programs

A number of stakeholders highlighted the potential of using information collected via the RRED to connect landlords to city, utility, and State energy efficiency and decarbonization incentive programs. They noted that RRED data could help programs like Mass Save identify landlords for targeted information or outreach, so long as the data is made available in an easily accessible way. Stakeholders suggested the city consider targeting both low and high performers (i.e., both those who are behind their peers on building decarbonization and those who are ahead): Outreach to low performers can highlight the opportunities available to them and their level of performance compared to peers. Meanwhile, high performers can be rewarded or showcased (e.g., through awards or competitions), to raise awareness around what's possible.

Policy considerations: The key policy considerations on this issue include ensuring the design of the system enables easy transport and interoperability of data, so that it can be utilized by various programs, and considering approaches to target low and high performers once the program rolls out. On the data interoperability issue, the city should ensure it elicits feedback on program design from the people who would be making these connections.

Pass through and operating costs

A number of stakeholders — particularly those focused on low-income tenants but across all other sectors as well — highlighted concerns that the program will increase housing costs, in particular if the disclosure requirements open the door for future BPS. Some stakeholders suggested the issue isn't just landlords passing added building costs onto tenants, but also involves the current higher operating costs of electric heat pumps compared to gas appliances in winter months due to the current costs of electric and gas rates.

Generally, small- and medium-sized landlords indicated that they will not raise rents for minor improvements to a unit, or for replacing old or failed equipment with new or different models. They said they tend to avoid major rent increases when the same tenant is staying in the unit, and instead try to simply keep pace with inflation and/or tax increases. Typically, however, they will try to bring

rent back to market level when a new tenant enters the unit. On the other hand, stakeholders suggested that large/commercial landlords typically view investments in unit upgrades in purely financial terms, seeking a return on any significant investment through higher rents.

Some stakeholders suggested that some concerns around affordability issues would be exacerbated if the RRED includes an inspection element. These stakeholders noted that an inspection requirement could have the perverse effect of eliminating a segment of the naturally occurring affordable housing market, because landlords would be required to make expensive investments to get their buildings up to code and would need to raise rents to recoup these costs.

Some stakeholders suggested that the RRED on its own is not likely to impact naturally occurring affordable housing, because these units are typically rented below market rates. These stakeholders reasoned that because there is such pent up demand for these units, any increased transparency around energy costs is unlikely to meaningfully impact a landlord's ability to find tenants. Likewise, some stakeholders suggested that illegal rental units also probably would not be affected by the RRED, because owners would simply not register these units in the system. However, some stakeholders, in particular older landlords, suggested the REDD would exacerbate Somerville's housing issues by causing small landlords who currently provide naturally occurring affordable units to exit the rental market.

To address pass-through cost issues over the long-term, tenant advocates and representatives suggested the RRED should be considered part of a broader package of interventions that include incentives for landlords to defray costs, conditions on incentives (e.g., limits on rent increases for some duration of time after receiving an incentive payment), and rent stabilization more broadly. As noted above, some of these policy interventions depend on the city's pending rent stabilization home rule petition.

Policy considerations: Policy considerations related to this issue involve the suggestion to treat the RRED as part of a broader package and ensure this package has positive equity impacts. Likewise, the city should use the data it collects to closely monitor market impacts over time, and adjust its interventions as needed.

Institutional responsibilities

The 2021 draft ordinance designates ISD as the division responsible for enforcement, while the OSPCD-Housing division is responsible for overall design and administration. Since 2021, OSE has taken over design responsibilities from OSPCD-Housing and has managed the stakeholder engagement process. Stakeholders noted that ISD has legal authority to pursue enforcement actions that other divisions may lack, so it may make sense to give them this responsibility, but ISD also faces severe capacity constraints. Stakeholders from across sectors cautioned that ISD is ill-equipped to take on significant new enforcement responsibilities. Stakeholders suggested the program should include a clear and streamlined process for identifying when enforcement is necessary and referring the matter to ISD. City staff should be consulted on what institutional roles make sense, and the potential for and ways to ensure a simple handoff.

Policy considerations: There is a policy choice around institutional responsibilities for administering and enforcing the ordinance, and challenges around institutional enforcement capacity in particular within ISD.

Enforcement and fees

Stakeholders noted the importance of enforcement but suggested it may not be a simple issue. Landlords could be fined for failing to fill out the ordinance in any given year, but that would not ensure the accuracy of the information they provide. In addition, some landlords (in particularly small-scale, older landlords) strongly objected to any fines and suggested the city should incentivize compliance instead (e.g., through a property tax exemption).

Multiple stakeholder groups suggested that tenants should not be relied on for enforcement or reporting because of the power dynamics at play. Specifically, the most vulnerable tenants may be concerned about issues like eviction or immigration and may therefore be hesitant to report on violations/inaccuracies. In addition, as noted above ISD has limited enforcement capacity, and a number of stakeholders from different sectors expressed concerns around the city expending significant resources administering the program. One stakeholder suggested that realtors could be used to help enforce the ordinance, by making them accountable for renting units where the appropriate disclosures are not in place. The stakeholder suggested that as repeat, professional players, realtors are likely to be more easily educated about the ordinance and incentivized to comply than other stakeholders.

With regard to penalties, one stakeholder suggested using a sliding scale for different types of landlords and/or number of infractions. Another suggested the annual registration fees can't be too large, lest they be seen as an unfair tax, and that they would need to go to something seen as relevant to the RRED or otherwise defensible. Another suggested that tenants should be allowed to break their lease if a landlord has misrepresented data on the registry.

Policy considerations: The key policy consideration on this issue is around funding the program adequately versus a risk of landlord backlash if the funding mechanisms are seen as excessively harsh, as well as the basic question of how to enforce the ordinance in a way that does not overburden ISD.

Rollout and awareness raising

Stakeholders offered a range of advice on the program rollout and awareness raising. They highlighted the importance of attending to language justice and accessibility issues to ensure low-income and vulnerable landlords are aware of the program and able to comply. One city stakeholder estimated the program rollout should take roughly two years, consisting of a period of program design, significant initial outreach, and then an initial grace period before penalties would begin. This stakeholder suggested that it would be key to get the right team of people within the city government involved early on in planning the rollout. In addition, a number of stakeholders suggested enabling or incentivizing early registration, and that the program design should be flexible enough to take advantage of new opportunities to increase program effectiveness (e.g., advanced metering infrastructure) as they emerge. Some older landlord representatives suggested a much longer, five year roll out period before the city begins enforcing compliance, while climate advocates emphasized the importance of getting the program up and running quickly, to enable a future BPS program and achieve the city's climate goals.

Policy considerations: The policy consideration in this area involves balancing the urgency of moving forward to achieve climate, safety, health, and housing goals as soon as possible versus the benefits of taking the time needed to ensure successful program design and launch.

CONCLUSION

The wide range of feedback on all sides of this issue reflect the diversity of interests at stake within and across stakeholder groups. Overall, this should not be entirely surprising: decarbonizing the buildings sector in Somerville will involve energy improvements across thousands of unique buildings owned and rented by individuals and entities with very different goals and needs. Among tenants, many feel strongly about climate issues and want to promote transparency and accountability in the rental market. Some are optimistic about the RRED, especially when considering it as part of a broader set of decarbonization measures, while others are skeptical that disclosures alone will have much climate impact. Nearly all tenants suggested they are strongly motivated by decreasing their overall rental costs.

Among landlords, competing interests around advancing climate goals, protecting autonomy and privacy, limiting administrative burdens, achieving a return on investment, maintaining a strong overall business climate, and navigating rapid community, cultural, and economic changes across the city have led to divergent and conflicted reactions to the RRED. Feedback from climate activists, realtors, affordable housing/tenant advocates, policy researchers, agency staff, utility companies, and others suggest this issue will have a range of impacts across multiple segments of the real estate sector and beyond. Some of these impacts are known or predictable while others are still unclear.

In seeking to balance these different interests, policy makers will need to make difficult judgments around the scope and breadth of the ordinance. Deciding what disclosures to require of whom and how to enforce non-compliance will involve balancing competing stakeholder needs and concerns.

On many issues, however, stakeholders were powerfully aligned in their feedback. Every stakeholder group expressed interest in ensuring that the program, if it launches, is easy to access, easy to use, efficiently managed, and broadly known, with accurate and usable data. These are questions of sound program design, not competing stakeholder interests. The consistency of stakeholder feedback on these issues suggests that the Ballantyne Administration and Somerville City Council have a powerful opportunity to design and implement this program in a way that is responsive to broadly held stakeholder needs. If Somerville moves forward with the RRED, the Administration should work to align the program design with the areas of consistent stakeholder feedback articulated in this report as much as possible.

APPENDIX A. INTERVIEWEE LIST

Alexis Sarpong	Cambridge Health Alliance
Colin Zeigler	City of Somerville, Inspectional Services Department
Ellen Shachter	City of Somerville, Office of Housing Stability
Mike Felony	City of Somerville, Office of Strategic Planning and Community Development
Morena Zelaya	City of Somerville, Office of Strategic Planning and Community Development
Russell Koty	Clean Green Somerville
Larry Yu	Climate Coalition of Somerville, Carbon Free Somerville
David Gibbs	Community Action Agency of Somerville
Daphne Vayos	Eversource
Jason Wright	Eversource
Kara Marshall	Eversource
Oscar Romero	Eversource
Greg Vasil	Greater Boston Real Estate Board
Patricia Baumer	Greater Boston Real Estate Board
Meg Howard	MA Clean Energy Center (MassCEC)
Thomas Chase	MA Clean Energy Center (MassCEC)
Ian Finlayson	MA Department of Energy Resources (DOER)
Martha Grover	MA Executive Office of Energy and Environmental Affairs (EEA)
Chris Porter	National Grid
Shimat Kamal	National Grid
Steven Menges	National Grid
Matthew Snell	Nutter McClennon & Fish
Robert Rio	RAR Strategies
Eric Robsky Huntley	Somerville Anti-Displacement Working Group
Luis Quizhpe	Somerville Anti-Displacement Working Group
Gonzalo Puigbó	Somerville Community Corporation
Ashley Speliotis	Somerville Council on Aging
Adam Garvey	Somerville Housing Authority
Brian Langton	Somerville Housing Authority
Ryan Cummiskey	Somerville Housing Authority

Meredith Gamble	Somerville Office of Immigrant Affairs
Dano Weisbord	Tufts University
Rocco DiRico	Tufts University

APPENDIX B. INTERVIEW PROTOCOL

Introduction and Purpose

As you know, the Somerville Office of Sustainability and Environment (OSE) is conducting stakeholder outreach on the topic of implementing a rental registry and energy disclosure ordinance. This will be the first rental energy disclosure program of its kind in Massachusetts. Our goal in this outreach is to gain valuable perspectives and expertise by engaging with those that would be most impacted by this ordinance. The results will be used to advise City staff on the implementation of a well-informed program.

The purpose of this interview is to learn about your perspective and recommendations with respect to implementation of the Rental Registry and Energy Disclosure Ordinance, and to get your advice on our approach to stakeholder focus groups.

We will be compiling our interview responses into an initial report to City Council, then conduct focus groups, and develop a final report.

Background & Overview

- *Can you please share a bit about the work you do and its connection to housing issues in Somerville?*
 - *How familiar are you with the Rental Registry and Energy Disclosure Ordinance?*
- ☐ Share background slides and answer questions as needed.
- *What are your thoughts on the ordinance?*
 - Follow up: *What hopes do you have for how the ordinance is implemented? What are your concerns?*
 - *Are you aware of studies or examples from other cities that could help clarify implementation best practices for this kind of initiative? Do you have relevant personal experiences that could be helpful?*
 - Follow up: *What lessons would you suggest we should take from the recent rental registry rollout in Worcester?*
- ☐ Share the following list of topics with them and either ask about or suggest areas of focus:
- Disclosure requirements
 - Connecting landlords to EE/renewables programs
 - Avoiding pass-through costs/rent increases
 - Registration system
 - Raising awareness
 - Implementation timeline
 - Enforcement
 - Sector-specific issues: commercial and industrial, small/medium/large residential, affordable, utility data/programs.

Topic- and Sector-Specific Questions

Disclosures

- *What thoughts do you have on the kinds of energy disclosures that would be most useful to tenants and most feasible for landlords to provide?*
 - Examples: Prior year energy use and utility costs, energy use comparison to similar units, energy efficiency rating, energy efficient appliances and other features (e.g. windows, insulation).
 - Follow up: What kind information do landlords have access to now?

Connecting landlords to EE/renewables

- *How can the city most effectively use this program to connect landlords to EE and renewables programs, incentives, and support?*

Avoiding/mitigating pass through costs

- *What measures could the city take to avoid or mitigate the potential that landlords will pass through the cost of efficiency and renewable energy improvements onto tenants?*
 - Follow up: *More generally, what would you like to see the city do to ensure the ordinance has a positive impact on equity, and that it addresses risks around key issues (e.g., displacement, a decrease in naturally occurring affordable housing, maintaining the viability of living in Somerville for long-term residents, and/or the economic burden on small-scale landlords and tenants)?*

Registration

- The city wants to set up a registration system that is easy to use and accessible.
 - For larger providers: Do you have advice on practices to utilize or avoid?
 - For smaller providers: How can we make the web-based registration system more accessible to tenants and landlords? What systems would we need in place for you to successfully register a property?
 - Follow up: What city services are accessed electronically by landlords now? ISD Permitting? Paying Water Bills, Excise Bills online? Using the 311 system? Any others?
 - Follow-up: What do you think about the November 15 annual registration deadline?

Awareness raising/publicity

- *What advice do you have for raising awareness as the city rolls out the program?*

Timeline

- *What advice do you have for the timeline of ordinance implementation?*
 - Follow-up: How much time do you think people will need to comply?
 - Follow-up: What do you think about a phased approach, and how might that work?

Enforcement

- *What thoughts do you have about how to enforce the ordinance effectively?*
 - Follow-up: What enforcement resources could be provided to tenants?

Sector-specific issues

- *What implementation issues specific to [commercial and industrial/large multifamily residential/medium residential/small residential/affordable] buildings should the City be aware of? How can these be addressed?*

Input on Focus Groups

- ☐ Share that we are planning interviews and/or focus groups with the following stakeholder groups:

- Local associations
- Commercial landlords (large commercial; large and medium residential)
- Small-scale landlords (LMI, English not as primary language, others)
- Tenants (families, elderly, English not as primary language, tenants with disabilities, others)
- Affordable and public housing providers
- Home improvement labor force
- Real estate labor force
- Housing/LMI renters advocacy organizations
- Climate advocacy organizations
- Utility representatives
- Others: Tufts, CHA, MassCEC

- *What do you think about this list? Are we missing any important groups? Are there key players you'd suggest should be on our radar?*
- *Do you have any specific advice for how we should conduct outreach and connect with thoughtful and diverse stakeholder representatives from these groups?*
 - *Follow-up: How do those you represent hear about city initiatives?*
 - *Follow-up: Could you help us with outreach to any of these groups for focus groups? Would you be willing to share information with them leading up to public meeting?*

- ☐ Share that we are to ask about the following topics (same as above):

- Disclosure requirements
- Connecting landlords to EE/renewables programs
- Avoiding pass-through costs/rent increases
- The registration system
- Raising awareness
- Implementation timeline
- Enforcement
- Sector-specific issues: commercial and industrial, small/medium/large residential, affordable, utility data/programs.

- *What do you think about this list? Are we missing any important topics?*
- *Do you have any additional advice on how to approach these focus group conversations, based on our interview today?*
- *Would you be willing to share information/outreach in advance of our public workshop?*
- *Anything else you'd like to add?*

Thank them for their time and insights.

Potential follow-up questions

Disclosures

- For tenants
 - In your opinion, what are the top three most important energy features in a rental unit that tenants look for?
 - Imagine you are looking for an apartment to rent. You arrive for the site visit and walk in. You see a piece of paper framed on the wall. It's the rental energy disclosure.
 - What type of information would be useful to have about the unit related to energy systems?
 - Rank these three options: Energy efficiency rating, Type of appliances, Costs.
 - What information would you like to know about the energy systems, usage, and efficiency of the unit you are considering renting?
 - If the disclosure was to have any other information besides costs, what would be most useful to you?
- For landlords
 - If an energy disclosure were to include basic information about the building's energy systems, it may include noting if you have certain appliances like solar panels, energy star appliances, heat pumps, air conditioning, EV charger, the age of certain appliances, their level of efficiency, and the type(s) of heating fuel and when the last time the heating system had a safety check. Think back to a time when you had to do a once-over at the rental property, maybe when you were turning over the unit before the next tenant arrived. How difficult would it be to relay this information for rental units? What challenges would this bring for multifamily buildings?

Connecting landlords to EE/renewables

- For landlords
 - Have you accessed programs and/or financing for appliances or weatherization or energy upgrades for your rental property? If so, where did you hear about it? What was the experience like? How could it have been improved? What types of incentives (if any) do you feel are missing?
 - List three things that would encourage you to install energy efficiency and renewable energy/thermal technologies in your rental units in order from greatest to least.
 - Think back to a time when you upgraded a rental property. What was the most important factor in your decision?
 - The City currently offers the Rehab program - \$25K-\$50K/deferred/\$0/0%/income limits/rent limits. This could be used to bring rental units up to code and more energy efficient. Would you participate in this program? How could this program change so that you would participate?

Avoiding/mitigating pass through costs

- For landlords

- When improving a rental property, do you, and if so at what dollar value do you, start passing the charges along to the tenants? Can you tell us about a time if there was one when you have not passed the costs onto tenants? One time that you have?

Awareness raising/publicity

- How does this differ for non-English speakers?
- Fill in the blank: In my opinion, _____ is the most effective thing the City can do to spread the word about registry and energy disclosure requirements.

Enforcement

- For tenants: On a scale of 1-7, rate your willingness to bring concerns about safety and energy up to your landlord. Why?

Sector-specific issues

- Public housing
 - Do you have any requirements or standards for energy? Who pays for utilities?
 - Are you assisting with rebates and incentives? If so, which ones? Are they enough to persuade homeowners to go for the more energy efficient unit? If not, what are three things that could be changed?
 - If you wanted to do a renovation on a rental building, what are the steps you would take? What's the timeline? Who would need to be involved? What do you consider for tenant relocation? Who is typically responsible for those costs? What type of support or funding would you need? How often do you revisit this topic for a given building?
 - How often do you consider these types of renovations? Have renovations effected rental rates in the past? What type of support or funding would you need? What questions would need to be answered before taking on this endeavor? Who would be involved in decision-making?
- Commercial
 - If you wanted to do a renovation on a commercial rental building, what are the steps you would take? What's the timeline? Who would need to be involved? What do you consider for tenant relocation? Who is typically responsible for those costs? How often do you consider these types of renovations? How has that effected rental rates in the past? What type of support or funding would you need?
- Labor
 - How well do you think the existing home improvement labor force understands EE and renewable technologies? What do you think is the extent of their interest in increasing this knowledge?
 - Think back to a time when an owner had a gas furnace that needed to be replaced. What did you recommend, and why? Did you go with an ASHP? Why or why not?
 - In your opinion, what is the work force capacity like for electrification, HES/HERS? What tools do you use to teach property owners about energy/GHG? What would you like to have? What support do you need?
 - Suppose this ordinance and subsequent ordinances increases the need for workforce. What three things would be helpful to get us to that level of understanding and training?

- Can you give us an example of a "green" service or practice you are planning to introduce to your business in the next five years?
- Based on your experience, where would you rank on a scale of 1-7 a homeowner's knowledge of available energy efficient/renewable energy technologies?
- Based on your experience, where would you rank on a scale of 1-7 a homeowner's willingness to install energy efficient/renewable energy technologies?
- What three things would help you persuade a homeowner to install energy efficient/renewable energy technology?
- What type of energy information resources and system energy efficiency are you leaving with the homeowner? How are they accessing it (online, in print)?
- List three things that could help your business be better equipped to explain/provide energy efficiency to homeowners.
- Let's say a homeowner is interested in replacing an appliance for a rental unit. Can you walk me through your pitch?
- Utility data
 - *How could the city leverage available utility data and programs to support program goals?*
 - For example: Utility data on energy use, utility comparisons with comparable units, utility-administered energy efficiency programs.
 - Follow-up: Could utilities handle an influx of calls from landlords asking about energy usage data, to submit in their disclosures? How else could this data be provided/used?
 - Additional potential follow-up questions in [FG Spreadsheet](#):
 - We are considering asking landlords to contact Eversource and/or National Grid and potentially fuel services providers for information on utilities to post in the energy disclosure. It would look like calling the company and asking for the total cost of utilities for the past 12 months for X address, unit # Y. What are your thoughts on that strategy?
 - In the past I've called and have asked for information for a unit I would be renting - including average cost per month and total cost over the past 12 months for electricity and gas. How does Eversource/National Grid handle calls for utility information?
 - Imagine that Somerville landlords are required to call and get utility information. What changes (if any) would need to be made so that your staff has the capacity to answer between 9,000-22,000 inquiries/year from Somerville landlords?
 - Pilot program we can loop in with energy disclosures? Is there a way for the City to get this data for units in Somerville so we can verify and/or instead of having the landlords call? Would we be able to post this information in a map online? Is there a way to get an energy score from HEAs that we can pilot?
- What types of materials could Eversource/National Grid provide (like those Mass Save annual offerings booklets) are being distributed/made available to 1) landlords 2) tenants 3) contractors 4) real estate agents/brokers 5) municipalities? How do they access them?
- Are there any studies/experiences that you could tell us about regarding energy disclosures and potential unintended consequences?

APPENDIX C. 2021 DRAFT ORDINANCE

CITY OF SOMERVILLE
ORDINANCE NO. _____
IN CITY COUNCIL _____

RENTAL REGISTRATION AND ENERGY DISCLOSURE ORDINANCE

Be it ordained by the City Council of the City of Somerville, in session assembled, that the Code of Ordinances of the City of Somerville is hereby amended by adding the following new provisions to Chapter 7 Housing:

ARTICLE _____. RENTAL REGISTRATION AND ENERGY DISCLOSURE ORDINANCE

Section A. Purpose.

The City Council finds that requiring Owners to register a Rental Unit with the City and requiring Owners to post an Energy Disclosure are necessary to

- a. promote public health, welfare, and safety;
- b. prevent nuisances, deterioration and blight conditions resulting from neglected Rental Units;
- c. increase efficiency and effectiveness of city management functions;
- d. increase awareness and knowledge of Somerville Owners and Rental Unit occupants about energy efficiency;
- e. improve knowledge of total cost of living for Rental Unit occupants living in Somerville; and
- f. reduce the community's contribution to climate change.

Section B. Definitions.

"Owner" means a person, persons, corporation, partnership, limited liability company, or any other entity holding the title to real property.

"Rental Energy Disclosure" or "Energy Disclosure" means a form prescribed by the City which reflects the information related to energy usage, features, and efficiency in the Rental Unit.

"Rental Registration" means a document evidencing a Rental Unit has been properly listed with the City.

"Rental Unit" means a non-owner-occupied room or group of related rooms within a dwelling used or intended for use by one family or household for living, sleeping, cooking and eating. A Rental Unit shall also mean a non-owner-occupied condominium unit.

"Representative" means, for purposes of this Ordinance, any other person or entity other than the Owner that manages or controls the property on behalf of the Owner.

Section C. Rental Registration.

- a. No Owner shall rent a Rental Unit without obtaining and holding current Rental Registration unless an exemption or exception applies in this Ordinance. All Owners shall register their Rental Units by November 15, 2022 and annually before November 15 thereafter.
- b. An Owner of any Rental Unit subject to this Ordinance shall register all Rental Units on a Rental Registration Form prescribed and made available by the City, to be completed and filed with the Office of Strategic Planning and Community Development-Housing Division or Designee.
- c. An Owner of a purchased or transferred Rental Unit shall have 30 days after closing to complete the Rental Registration Form.
- d. All Owners shall update their Rental Registration Form information as needed within 30 days of information change(s).
- e. If an Owner does not reside in Somerville, they must appoint a Representative that either works or lives in Somerville or lives within a 25-mile radius.
- f. An Owner of a Rental Unit shall post and maintain, or cause proof of Rental Registration in the method made available and manner prescribed by the City, to be posted and maintained on such dwelling adjacent to the mailboxes for such Rental Unit or elsewhere in the interior of such Rental Unit in a location visible to the Rental Unit occupants.
- g. An Owner, Representative, or real estate broker or real estate agent, who advertises the Rental Unit must include in such listing information about the Somerville Rental Registration in the

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method made available and manner prescribed by the Office of Strategic Planning and Community Development-Housing Division or Designee.

Section D. Rental Energy Disclosure.

- a. No Owner shall rent a Rental Unit without providing an Energy Disclosure to a prospective Rental Unit occupant unless an exemption or exception applies in this Ordinance.
- b. All Owners or Representatives of Rental Units shall provide an Energy Disclosure, prescribed and made available by the City, to prospective Rental Unit occupants prior to, or upon agreement to lease, including a lease renewal, regardless of whether the agreement is oral or written, in the manner prescribed by the City.
- c. Owners or Representatives shall post and maintain or cause the Energy Disclosure, in the method made available and manner prescribed by the City, to be posted and maintained on such dwelling adjacent to the mailboxes for such Rental Unit or elsewhere in the interior of such Rental Unit in a location visible to the Rental Unit occupants.
- d. The Rental Energy Disclosure must be updated with each change of Rental Unit occupancy after November 15, 2022.

Section E. Exemptions and Exceptions.

- a. Fees for this Ordinance shall be as established by the Office of Strategic Planning and Community Development-Housing Division or Designee.
- b. The provisions of this Ordinance shall apply to all Owners of Rental Units in the city of Somerville. The following types of units are exempt from the requirements of this Ordinance unless the units are modified to meet the definition of a Rental Unit subject to this Ordinance.
 - (1) Owner-occupied single-family dwellings.
 - (2) Individual, owner-occupied units that are a part of multi-family buildings, including owner-occupied units with one (1) to three (3) renters who are not operating as a single housekeeping unit.
 - (3) Licensed lodging facilities such as rooming houses, Rental Units with four (4) or more non-related individuals, hotels, motels, inns, hostels, bed and breakfasts, including those designated pursuant to the Somerville Zoning Ordinance.
 - (4) Rental Units in any hospital, skilled nursing facility or health facility.
 - (5) Rental Units in a nonprofit facility that have the primary purpose of providing short term treatment, assistance or therapy for alcohol, drug or other substance abuse.
 - (6) Half-way houses or group homes, such as elderly, disabled, substance abuse programs, etc.
 - (7) Short-term Rentals as defined in Ch. 7 Art. X of the Somerville Code of Ordinances.
 - (8) Vacant Rental Units registered under Sec. 11-111 of the Somerville Code of Ordinances.
- c. Annually before the deadline, an Owner of a Rental Unit may apply for an exception of this Ordinance to the Office of Strategic Planning and Community Development-Housing Division or Designee. The Department is authorized to grant an exception under this Ordinance for reasons including but not limited to the following circumstances:
 - (1) A Rental Unit will be demolished within one (1) year of the most recent Rental Registration filed with the City.
 - (2) An Owner is experiencing unusual hardship prior to the express deadline.

Section F. Non-waivability.

The provisions of this Ordinance may not be waived, and any term of any lease, contract or other agreement which purports to waive or limit an occupant's substantive or procedural rights under this Ordinance is contrary to public policy, unenforceable, and void.

Section G. Partial Invalidity.

If any provision of this Ordinance or application thereof is held to be invalid or in conflict with applicable laws, this invalidity or conflict shall not affect other provisions or applications of this Ordinance which

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can be given effect without the invalid provisions or applications, and to this end, the provisions and applications of this Ordinance are severable.

Section H. Penalties.

The provisions of this Ordinance shall be enforced by the chief of police, the superintendent of inspectional services, and their duly authorized agents, officers and employees, by a noncriminal disposition pursuant to Massachusetts General Laws Chapter 40 Section 21D. Each failure to comply with the requirements set forth in this Act with respect to an individual occupant shall be deemed a separate offense triggering a separate warning or fine. Unless otherwise provided, a person or entity violating any provisions of this Ordinance shall be punishable by a warning or fine in accordance with the provisions of Somerville Code of Ordinances Section 1-11.

- a. All appeals shall be made to the Hearing Officer pursuant to Chapter 106 of the Acts of 2008.
- b. The City shall provide notice to Owners in accordance with local, state, and federal laws.
- c. Owners are solely responsible for fees, fines, and penalties pursuant to the Ordinance.
- d. Owners and/or Representatives shall not retaliate against occupants who file a complaint for alleged violations of this Ordinance. Any such retaliation may be considered a defense pursuant to M.G.L. c. 186 s. 18.

Section I. Reporting.

Annually beginning in the year 2023, the Office of Strategic Planning and Community Development-Housing Division or Designee shall submit to the City Council a report summarizing efforts and results, including but not limited to the numbers of new and cumulative Rental Units registered, violations, complaints, and appeals.

Section J. Effective Date.

This Ordinance shall take effect on November 15, 2022 after passage by the City Council. Be it further ordained by the City Council, in session assembled, that Section 1-11 (b) of the Somerville Code of Ordinances is amended by adding the following provision:

Violations	Fines Per Day	Enforcing Personnel
Failure to possess current Rental Registration without a valid exception or exemption.	1 st offense: Warning 2 nd & subsequent offenses: \$10 per unit per day and up to \$300 per building per day, until Rental Unit is registered or renewed.	Inspectional Services Division
Failure to comply with the Ordinance, except for current Registration without a valid exemption or exception.	1 st offense: Warning 2 nd & subsequent offenses: \$25 per unit per day and up to \$300 per building per day, until remedied.	Inspectional Services Division

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APPENDIX D. INTERVIEW PRESENTATION SLIDE DECK



Background on the Rental Registry and Energy Disclosure (RRED) Ordinance

April 2024



How it works

1 Rental Registration

- Property owners register rental units annually, providing:
 - local point of contact;
 - general information; and
 - energy information.
- Landlord posts certificate.
- Penalties for non-compliance.

2 Rental Energy Disclosure

- Information collected during registration.
- Landlords posts information and provides it to prospective tenants at or before the time of lease.
- Penalties for non-compliance.

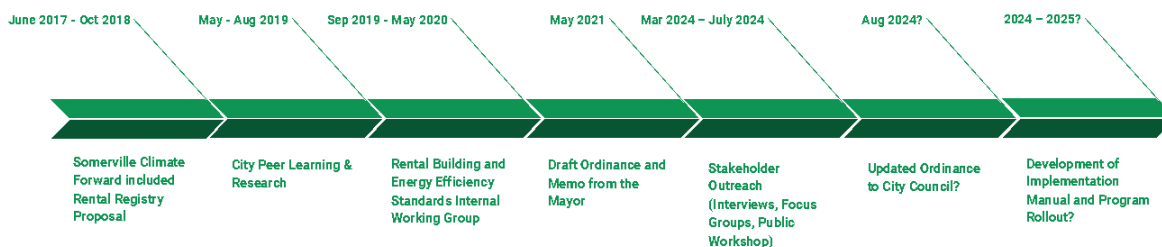


Goals

Rental Registration	Rental Energy Disclosure
• Gain contact information for property owners/management • Understand where rental units are • Gain data to conduct city management more effectively and efficiently • Promote available resources and services	• Improve tenant knowledge of total cost of living in a given housing unit • Improve tenant's comfort • Improve property owner's knowledge of energy efficiency • Encourage property owners to improve home energy efficiency • Reduce largest source of GHG emissions • Reduce total cost of living for renters/property owners • Improve indoor air quality



Timeline



Key Considerations for Stakeholder Feedback

- Energy disclosures — what should be required?
- Avoiding/mitigating pass-through costs, and ensuring a positive impact on equity
- Connecting landlords to EE/renewables programs, incentives, and support
- Establishing an easy to use and accessible registration system
- Awareness raising, publicity, and program rollout
- Implementation timeline
- Aligning program with needs in specific sectors: public housing, commercial real estate, labor force, utility data/sources, etc.



Thank you



APPENDIX E. FOCUS GROUP GUIDE

Welcome

- Good evening and welcome to our session. Thanks for taking the time to join us.
- Introduction:
 - Moderator and Assistant. We both are consultants at a non-profit, CBI, who are working for the City of Somerville.
 - City staff introductions. Joining as observers.
- Our topic is rental registry and energy disclosure. In short, the City is interested in proposing an ordinance (i.e., a city law) that would require property owners of most rental units located in Somerville to provide basic information about a rental unit and their contact information once a year. The ordinance would also require property owners to deliver certain information about a rental unit's energy features and/or usage and/or cost to prospective tenants so they can make a more informed decision about where they choose to rent.
- Today, we want to hear about your experiences with (select below based on the focus group)
 - Landlords: owning, managing, and making improvements to rental properties in Somerville.
 - Tenants: living in rental properties in Somerville.
 - Others: working with residents and property owners of Somerville.
- Focus group purpose
 - The purpose of this focus group is to advise the City on what to include in the potential ordinance and how to create a program that is informed by the perspectives and needs of people like you.
 - We are having discussions like this one with several groups in the City.
 - We will be developing a summary of what we hear in these conversations, which will be made publicly available. We will not be attributing any of the ideas or statements in our report to any individuals, or listing the names of who participated in the focus groups. That being said, if anyone submits a records request of city documents they will be able to see who *signed up* for and attended a focus group but again, not what each person shared *during* the focus group.
- This focus group:
 - You are participating in this focus group on a voluntary basis. You were selected because you can provide valuable perspectives and expertise.
 - The focus group will be 90 minutes.
 - We thank everyone in advance for taking the time to participate.
- Let's establish some ground rules for today's discussion.
 - Meeting etiquette and roles
 - We will be on a first name basis tonight, but as mentioned we won't use any names in our reports.
 - My role as moderator will be to guide the discussion.
 - One person speaking at a time. Please raise your hand when you'd like to speak
 - If on Zoom: Please have your cameras on and engage throughout the 90 minutes.
 - You can turn your camera on and off by clicking the video icon in your Zoom toolbar.

- o The raise hand function is also located on the toolbar.
- Please be mindful of background noise and mute yourselves if you are not speaking. Remember to unmute when you want to speak.
 - o You can mute and unmute your audio by clicking the audio icon in your Zoom toolbar.
- We encourage you to change your display name so it reflects how you'd like us to refer to you.
 - o Hover over your image, click on the three dots, then click on "Rename"
- If you must step away, please do so as quietly as possible and rejoin us as quickly as you can.
- o Make space
 - It is important for us to hear everyone's ideas and opinions. In order to get through each question, we will limit speakers to about 3 minutes per question. [Note: If we have a smaller group we may be able to offer more time.]
 - It is important for everyone's ideas to be equally represented and respected, so please give others time to share as well.
- o Share all perspectives
 - There are no wrong answers but rather differing points of view. You don't need to agree with others, but please listen respectfully as others share their views. Please feel free to share your point of view even if it differs from what others have said.
 - Keep in mind that we're just as interested in negative comments as positive comments, and at times the negative comments are the most helpful. It is important for us to hear all sides of an issue – both the positive and the negative.
- Any questions? (If someone looks unsure, ask respectfully and respect their response.)

(If applicable) As you likely know, Somerville community members that are not being paid by their jobs to participate in these focus groups are eligible for a \$40 gift card.

- [In-person:] We will share a form and distribute physical gift cards at the end of this session.
- [Virtual:] We will share a form at the end of the session for you to confirm your mailing and/or email address and accept the gift card. We will then mail or email you the gift card.
- o Gift card form
- If you are being paid by your organization to participate, please let us know and do not accept a gift card so we can distribute them as equitably as possible.

Questions

Tenants

- 1) **Introductory question:** Name and, to the extent you're comfortable, please share where you live, what kind of building and unit it is, and how long have you lived there.
- 2) **High level:** What is your reaction to the idea of this ordinance? What hopes or concerns do you have for it?

3) **Property data:** Imagine you're looking for an apartment or house to rent, what type of *property* information is most important for you to know? What's least important? Consider:

- a. owner or landlord contact information
- b. beneficial ownership information (i.e., individuals or entities with an ownership stake in the entity that officially owns the property)
- c. past rental history
- d. year of major renovations (e.g., improvement to the walls/insulation, windows, or HVAC equipment)

4) **Energy data:** Imagine you're looking for an apartment or house to rent, what type of *energy* information would be most helpful to know? What's least important? Consider:

- a. type of heating, cooling and energy equipment (like solar panels, heat pumps, air conditioning, EV charger)
- b. the age of certain appliances and their level of efficiency (e.g., refrigerator, dishwasher, range)
- c. type(s) of heating fuel
- d. utility costs/energy usage
- e. age and efficiency of windows
- f. construction materials
- g. what type/level of insulation is installed
- h. an overall energy "score" (i.e. a letter grade or numerical rating reflecting how much energy the unit uses compared to others of a similar size)

For renters who don't pay their own utilities: Are you interested in energy information if your landlord pays your utilities? Why or why not?

5) **Accessing information:** What would be the most vs. least helpful source for accessing this information: online Somerville platform, disclosure form shared with you when leasing a property, a visible piece of paper within the unit you're looking at? Something else?

- a. If online, what could the city do to make it accessible to you?
- b. For specific tenant groups (e.g. elderly, non-native English speakers, people with disabilities): What would make this information most accessible to (elderly/non-Native English speakers/people with disabilities)? Translated information? A specific staff person to call about information? Postings at City Hall?

6) **Awareness raising**

- a. Where do you hear about City initiatives?
- b. What about information on available rental units?
- c. Fill in the blank: In my opinion, the most effective thing the City can do to spread the word about registry and energy disclosure requirements is _____.

7) Closing + gift card form

Landlords

1) **Introductory question:**

- a) Name, how long have you been a landlord in Somerville, and how many and what types of units do you rent?
- b) Do you accept and/or have voucher holding tenants or tenants living in inclusionary units?
- c) Do you pay for any utilities? Which ones? Why?

2) **High level:** What is your reaction to the idea of this ordinance? What hopes or concerns do you have for it?

- a) What if any impact do you imagine disclosing this information would have on your decision-making around energy efficiency and weatherization in your property? Why?
- b) What could the program do to encourage landlords to make energy efficient and weatherization improvements? E.g., comparing you to neighbors, providing information on available incentives when you register, something else?

3) **Property data:** Imagine you're asked to provide some information about your property to a city database and update it each year with any major changes. On a scale of 1 to 5 (5 being max effort), how much effort would it take for you to provide the following?

- a. owner or landlord contact information
- b. beneficial ownership information (i.e., individuals or entities with an ownership stake in the entity that officially owns the property)
- c. past rental history
- d. year of major renovations (e.g., improvement to the walls/insulation, windows, or HVAC equipment)

Would you need to get someone to help you gather this information?

Does providing any of this information raise concerns? If yes, why?

4) **Energy data:** Imagine you're asked to provide basic information about your property to a city database and update it each year with any major changes. On a scale of 1 to 5 (5 being max effort), how much effort would it take for you to provide the following?

- a. type of heating, cooling and energy equipment (like solar panels, heat pumps, air conditioning, EV charger)
- b. the age of certain appliances and their level of efficiency (e.g., heating/cooling system(s) refrigerator, dishwasher, range)
- c. type(s) of heating fuel
- d. utility costs/energy usage
- e. age and efficiency of windows
- f. construction materials
- g. what type/level of insulation is installed
- a. an overall energy "score" (i.e. a letter grade or numerical rating reflecting how much energy the unit uses compared to others of a similar size)

Would you need to get someone to help you gather this information?

What if the city were to use public information to generate a default "energy score," and you had the option to provide additional information (like the information above and/or information provided by a HERS rater or Mass Save energy audit) to improve the accuracy of your score? What's your reaction to that idea?

5) **Providing information:** What would you want to see in an online registration system to make it as easy as possible for you to provide data?

6) **Pass through costs:** When improving a rental property, do you, and if so at what dollar value do you, start passing the charges along to the tenants? Can you tell us about a time (if there was one) when you have not passed the costs onto tenants? One time that you have?

7) **Awareness raising:**

- a) Where do you hear about City requirements?

b) Fill in the blank: In my opinion, the most effective thing the City can do to spread the word about registry and energy disclosure requirements to property owners is _____.

8) **Enforcement and penalties:** What's your best advice to the City as it considers how to enforce the ordinance, ensure the information provided is accurate, and decide on potential penalties for non-compliance?

9) **Registration date:** Do you have any specific concerns with Nov. 15 as the annual registration deadline?

10) Closing (small landlords only: gift card form)

Professional Services

1) **Introductory question:** Name, work they do, how long they've been doing it.

2) **High level:** What is your reaction to the idea of this ordinance? What hopes or concerns do you have for it?

3) **Property and energy data:** Consider the following data that is being considered, to be collected from property owners as part of the registry:

Property data

- a. owner or landlord contact information
- b. beneficial ownership information (i.e., individuals or entities with an ownership stake in the entity that officially owns the property)
- c. past rental history
- d. year of major renovations (e.g., improvement to the walls/insulation, windows, or HVAC equipment)

Energy

- a. type of heating, cooling and energy equipment (like solar panels, heat pumps, air conditioning, EV charger)
- b. the age of certain appliances and their level of efficiency (e.g., refrigerator, dishwasher, range)
- c. type(s) of heating fuel
- d. utility costs/energy usage
- e. age and efficiency of windows
- f. construction materials
- g. what type/level of insulation is installed
- h. an overall energy "score" (i.e. a letter grade or numerical rating reflecting how much energy the unit uses compared to others of a similar size)

How would you use this type of publicly available data (if at all) in your day-to-day?

Which data would be most vs. least useful?

a) For realtors: Would you share the requirement to provide this data with landlords, meaning, for example, would you communicate to landlords if it is asked to include x in your posting?

b) For rental agents: Do people express interest in this data? Why do you think this is? Would certain features make a unit stand out? What would happen to units that don't have these features? If it were available, would you pull out the data and share it with potential renters?

c) For contractors: Would you use it to advise property owners on specific improvements? What types of data would help you make the case to a property owner to make improvements?

What impact would sharing rental history (i.e., the amount charged for rent in prior years) have on the market? Other data?

4) **Workforce development**

- a) Rank your baseline knowledge of energy efficiency and renewable technologies on a scale of 1-7. Why that rating?
- b) List three things that could help your business be better equipped to explain/provide information on energy efficiency to homeowners.

5) Accessing information:

I'm going to share some ideas we've heard about ways the data could be presented to renters. This is not to suggest these will actually happen – they're just ideas.

- a) What would be the most vs least helpful source for accessing and sharing property and energy information with renters: online Somerville platform, disclosure form shared with renters when leasing a property, a visible piece of paper within the unit they're looking at? Something else? What impact would this have on transactions?
- b) If online, what could the city do to make it accessible to landlords and renters?

6) Awareness raising:

- a) Where do you hear about City initiatives?
- b) In my opinion, the most effective thing the City can do to spread the word about registry and energy disclosure requirements is _____.

7) Closing (no gift card)

Climate groups

- 1)**Introductory question:** Name, who you work for (professionally or volunteer), your involvement in climate / building sector work, Somerville renter or landlord.
- 2)**High level:** what is your reaction to the idea of this ordinance? What hopes or concerns do you have for it?
 - a) What's your most critical, high-level advice to the City on program design?
- 3)**Property data:** What type of *property* information is most important for the city to collect and make available? What's least important?
 - a. owner or landlord contact information
 - b. beneficial ownership information (i.e., individuals or entities with an ownership stake in the entity that officially owns the property)
 - c. past rental history
 - d. year of major renovations (e.g., improvement to the walls/insulation, windows, or HVAC equipment)
- 4)**Energy data:** What type of *energy* information would be important for the city to collect and make available? What's least important?
 - a. type of heating, cooling and energy equipment (like solar panels, heat pumps, air conditioning, EV charger)
 - b. the age of certain appliances and their level of efficiency (e.g., refrigerator, dishwasher, range)
 - c. type(s) of heating fuel
 - d. utility costs/energy usage
 - e. age and efficiency of windows
 - f. construction materials
 - g. what type/level of insulation is installed
 - h. an overall energy "score" (i.e. a letter grade or numerical rating reflecting how much energy the unit uses compared to others of a similar size)

Are there any differences between what information would be most helpful for tenants making housing decisions, to the city for developing future policies, and for researchers? If so, what?

5) Accessing/providing information:

- a) What could the city do to make an online database accessible to you, and to landlords and renters?
- b) How would you imagine using a registry/energy database like this for climate work?

6) Costs: Do you think this program will increase housing costs, or decrease interest in non-energy efficient units? Why or why not? What are some programs/policies/ordinances the city can do to help?

7) Awareness raising:

- a) Where do you hear about City initiatives?
- b) What about available information on rental units?
- c) In my opinion, the most effective thing the City can do to spread the word about registry and energy disclosure requirements is _____.

8) Closing + gift card form

Closing

- Thank you so much for your participation and your responses today. It was extremely helpful.
- Please fill out attendance sheet/gift card log (printed or electronic depending on if it's in person or online) before you leave.

APPENDIX F. PUBLIC MEETING AGENDA

RRED Public Meeting November 19, 2024 | 6:00 - 7:30 PM | Virtual Agenda

Time (PM)	Agenda Item
6:00	Welcome & Agenda Review
6:10	Rental Registry and Energy Disclosure Draft Ordinance: What is it and how did it come about? • Presentation • Questions & Answers
6:35	Ordinance Engagement Findings • Presentation • Questions & Answers
6:55	Feedback session in breakout discussions
7:25	Next steps and closing
7:30	Adjourn

APPENDIX G. PUBLIC MEETING SUMMARY

The Office of Sustainability and the Environment (OSE) hosted a public meeting on November 19, 2024, to share information about the RRED, share high-level findings from the interviews and focus groups engagement, and get feedback on the RRED.

The virtual meeting included two presentations, each followed by a questions and answer session, and breakout group discussions for participants to share feedback. The first presentation included information about what the RRED is and how it came about, and the second presentation summarized the findings from CBI's stakeholder engagement efforts. Slides from the presentations are available at somerillema.gov/rred.

Sixty-one participants joined the meeting. Of the 39 participants that completed the introductory poll, 23 self-identified as landlords, five self-identified as tenants, one self-identified as a climate organization representative, four self-identified as professional services providers (e.g., realtors), and four self-identified as none of the above.

Questions asked and answers provided during the question and answer sessions are synthesized and captured below. Feedback shared by participants during breakout discussions is summarized and captured below that, organized by stakeholder group. In each section below, the summary captures the range of perspectives shared by participants; it is *not* intended to reflect only points of agreement or consensus. Participant input has not been vetted for factual accuracy and does not represent the views of the city or CBI.

Questions and answer sessions summary

Questions asked and answers shared are synthesized and listed below.

- How will data acquisition from utilities be handled? A: This will be determined during the program manual development stage. There may be different requirements for buildings of different sizes.
- What is the range of administrative costs landlords will be responsible for? A: This will be determined during the program manual development stage. The cost would cover administrative costs only.
- Will the City of Somerville create a template for data submission? A: The City of Somerville will create a template available online and in paper. City staff will be available to support landlords completing the form.
- What information will be required to be disclosed? A: We do not have a definite answer at this time because meetings like this are informing those decisions. It may be some combination of energy features, usage, and/or cost data. The City of Somerville is in discussion with Eversource about what is feasible, too.
- How often do landlords need to report data in similar programs in other cities? What is the average administrative cost charged for similar programs in other cities? A: Other cities have these programs combined with inspections so the costs cover inspection services as well. The Somerville program will not include inspections so it will be less expensive. Costs for registration programs with periodic inspections can be as low as \$20 a year, and costs differ in every city. There is a range of reporting timelines in other programs; the frequency of inspections can range from annually to every five or 10 years.

- What engagement opportunities exist during the development of the program manual and registration template? That is a more meaningful time to give input. A: We want the program to evolve as the city grows and as we learn more. We anticipate an evolving program and a living program manual. There will be additional stakeholder input opportunities as we develop the program manual.
- Has City staff coordinated with and learned from other cities? A: Yes, Somerville staff hosted a knowledge exchange program with other cities, held informational interviews, and participated in a national cohort led by Rocky Mountain Institute.
- How will decisions about the ordinance get made? A: OSE will submit the proposed ordinance to the City Council. It will then get referred to the legislative matters committee for discussion. That committee will report back to the full City Council and the Council will vote on whether to pass it.

Specific suggestions and concerns raised during the Q&A included the following:

- City staff should create a version of the ordinance that includes a plain language interpretation.
- This ordinance could result in further polarization of landlords and tenants.
- In any given rental unit, energy usage is impacted more by tenant behaviors and preferences, such as where they set the thermostat, than by the unit's energy efficiency.

Feedback from landlord breakout discussion themes

Across the three breakout discussions for landlords, landlords broadly expressed concerns about both the ordinance writ large and specific implementation components (e.g., which data are required to be disclosed). Many shared frustration that the program requirements (e.g., administrative fees, registration, information provision) would be borne by landlords, even though the program provides them no benefits or incentives. Some suggested the overall level of requirements and fees for Somerville landlords is already creating a significant cumulative burden, discouraging small landlords from renting out units, and adding to these requirements and fees will exacerbate the problem.

Some landlords suggested the program represented government overreach by requiring access to personal information and dictating property management decisions. There was a shared concern that relying on individual tenant energy usage data would predominantly reflect individual tenant behaviors (e.g., setting the thermostat at a high temperature) rather than building/unit energy efficiency. Others landlords suggested the program is unnecessary because many landlords are already taking steps to improve the energy efficiency of their units, and share utility data with potential tenants when requested.

Additional feedback related to specific issues is included below.

Program design

- Many City of Somerville departments already require landlords to share information. The City should streamline these requests and not be duplicative.
- If landlords pay for this ordinance, the administrative cost will likely be passed down to tenants. Instead, the administrative cost could be distributed across the tax base.
- Older buildings, even those that have made many energy efficiency improvements, will have difficulty matching the efficiency of new buildings and should be given

special consideration. Directly comparing the two will make older buildings look less appealing to prospective tenants. In addition, older buildings may require major renovations if the city adopts building performance standards, which could result in significant rent increases.

Registration data

- The city should limit the frequency of registration requirements (e.g., annual, when information changes) to reduce the burden on landlords. For owners of large buildings, updating the data every time a unit turns over would be prohibitively burdensome.
- Landlords who live beyond the 25-mile point of contact requirement, but who still handle repairs, should not be required to provide a separate local point of contact.

Energy data

- The energy used and costs paid will vary a lot by tenant. It is not a good indicator of energy efficiency in small buildings, and experiences with similar programs in other jurisdictions (e.g., in Europe) bear this out.
- Landlords should not be held liable if energy costs for a new tenant differs from what was disclosed based on prior tenants.
- The city should not require landlords to disclose data that is owned or controlled by tenants (e.g., energy usage or cost data).
- Landlords differed in their feedback about what kind of qualitative energy information should be included in the program. Some suggested that issues like furnace efficiency, insulation, and window quality are easy to report and meaningful, unlike energy usage data. Others suggested these issues are less significant in terms of their effect on energy efficiency.

Feedback from tenant breakout discussion themes

Tenants in the breakout discussion largely expressed support for the ordinance. Tenants shared the importance of ensuring the program is simple and affordable for landlords; if it is not, they are concerned that landlords will increase the rent to cover costs (and may do so regardless of whether or not it tangibly impacts costs). Additional feedback related to specific issues is included below.

Program design

- Tenants broadly suggested the ordinance is an important tool to help them make informed decisions about housing and manage their costs of living.
- The program should be easy and free for landlords, so they do not raise rents to cover costs or justify rent increases.
- The city should share more details about the program, including which types of data would be required.
- The city should ensure tenants have an adequate voice in future engagement efforts related to the ordinance.
- Participatory budgeting funds could support a pilot program to develop a simple registration system and offer office hours for landlords.

Registration data

- To protect tenant privacy, the city should not include questions about the number of tenants living in a unit.

Energy data

- Some tenants are more interested in energy usage data than utility cost.

Feedback from professional service providers and climate organization representatives, and other breakout discussion themes

Professional service providers, climate organization representatives, and other participants were also broadly supportive of the ordinance as a way to help tenants make informed decisions on where to live, and help the City of Somerville target landlords with information and incentives programs. A number of them suggested the program should be connected to additional measures to maximize its impact. Additional details on the feedback are included below.

Program design

- The City should establish building requirements and penalties for non-compliance, to further incentivize real building improvements; transparency alone will not result in meaningful changes.
- The ordinance should be connected to building maintenance and inspections.
- State legislation will be needed to encourage landlords to purchase energy efficient equipment and rewrite the equipment depreciation schedule.

Registration data

- Landlord point of contact data is very important to include.

Energy data

- The city should require energy usage data disclosure for large buildings but not smaller buildings. In large buildings, usage data can be averaged across units and be more reflective of building efficiency rather than individual tenant preferences.
- The city should make the program and data requirements as simple as possible to decrease the burden on landlords and increase compliance.
- Landlords should disclose the age of existing equipment.