



The Commonwealth of Massachusetts

AN ACT

AUTHORIZING THE CITY OF SOMERVILLE TO REGULATE LEASES AND TENANCY AT WILL AGREEMENTS

WHEREAS: The City of Somerville (“the City”) is undergoing an emergency with respect to housing and is committed to preventing displacement and supporting residents’ rights and access to safe and affordable housing; and

WHEREAS: The rents in Somerville have escalated dramatically since 2020 with the median rent for an apartment in Somerville at \$3,423/month as of September 2025; and

WHEREAS: Vacancy rates in Somerville MA are approximately 2.18%, indicating a small available pool of housing for Somerville renters; and

WHEREAS: Renters and landlords alike deserve to be able to plan and anticipate housing needs on a reliable, reasonable schedule; and

WHEREAS: Somerville renters are often pressured to renew a lease or to open their homes for tours by potential replacements, as far in advance of the end of their lease as nine months prior; and

WHEREAS: A fully unrestricted system for lease renewals creates a year-round cycle of showing and renting that puts undue pressure on renters to sign leases before they know their plans for the following year; and

WHEREAS: Multiple tenants sharing an apartment are often required to sign a lease far in advance, and if plans change and one tenant relocates elsewhere, all the remaining tenants are jointly and severally liable for the full amount of the rent whether than can afford it or not; and

WHEREAS: The pressure of unrestricted early lease renewal often leads to unnecessary displacement.

Be it enacted by the Senate and House of Representative in General Court assembled, and by the authority of same, as follows:

SECTION 1. The City may, by Ordinance, regulate the formation of leases and written tenancy at will agreements as they relate to lease and tenancy renewals. These powers shall include,

- (i) Requiring that any owner of leased residential premises (“the premises”) must, no later than 3 calendar months prior to lease termination date, notify any tenant under lease living therein whether or not such owner intends to renew the lease with the tenant and state any proposed changes in lease terms including, but not limited to, any proposed increase or decrease in rent for the premises; and the length of the proposed lease renewal; and
- (ii) Prohibiting the owner from requiring a tenant of the premises to assent to any proposed new lease terms prior to three calendar months before the lease termination date; and
- (iii) Prohibiting any owner from entering the property for the purpose of showing the unit to new prospective tenants prior to three calendar months before the lease termination date without the written consent of all adult tenants which shall be knowing and voluntary.

SECTION 2. The provisions of Section 1 shall not apply if:

- (i) An owner is seeking to sublet a unit or otherwise fill a unit that has been voluntarily vacated prior to lease termination date by a tenant that has waived any right to possession of the unit for the balance of the lease term; or
- (ii) An owner has served the tenant with a summary process complaint to obtain possession of the premises; or
- (iii) The tenancy is for an affordability restricted unit or a unit where the tenant's rent is subsidized under the terms of a rental voucher, to the extent the statutory, regulatory or other rules governing such tenancy conflict with the provisions of any such law created by this Special Act.
- (iv) The lease is equal to or shorter than six months.

SECTION 3. Any Ordinance passed under this Special Act may require:

- (i) That violation of the Ordinance constitutes a civil infraction punishable by not less than \$300.00 per offense; and
- (ii) That a court may issue or enforce any judgment, writ or order necessary to enforce such Ordinance.

SECTION 4. A tenant who has been aggrieved by a violation of the Ordinance may bring a civil action for appropriate injunctive relief or damages, or both, against the person(s) who acted in violation of the Ordinance under M.G.L. c. 93A or M.G.L. c. 186, section 14 as a breach of quiet enjoyment.

SECTION 5. The determination or declaration that any provision of this Act is beyond the authority of the general court or is preempted by law or regulation shall not affect the validity or enforceability of any other provisions.

SECTION 6. This act shall take effect upon its passage.

