

**CITY OF SOMERVILLE**  
**ORDINANCE NO. 2025-**  
**IN CITY COUNCIL: \_\_\_\_\_, 2025**

Be it ordained by the City Council, in session assembled, that Chapter 7 of the Code of Ordinances of the City of Somerville is amended as follows by adding the following Article.

**ARTICLE XII. RENTAL REGISTRATION AND ENERGY DISCLOSURE**

**Sec. 7-288. – Purpose.**

- (a) The City Council finds that requiring owners to register a rental housing unit with the city and requiring owners to post an energy disclosure are necessary to
- (1) promote public health, welfare, and safety;
  - (2) prevent nuisances, deterioration and blight conditions resulting from neglected rental housing units;
  - (3) increase efficiency and effectiveness of city management functions;
  - (4) increase awareness and knowledge of Somerville owners and rental housing unit occupants about energy efficiency;
  - (5) improve knowledge of total cost of living for rental housing unit occupants living in Somerville; and
  - (6) reduce the community's contribution to climate change.

**Sec. 7-289. – Definitions.**

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

"Rental Housing 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 housing 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.

**Sec. 7-290. – Rental registration.**

- (a) The owner of a housing unit may not offer that unit for rent unless they have registered it as a rental housing unit, using a form prescribed by the city.
- (1) A rental housing unit need not be registered if:
- (A) It is owner-occupied, including owner-occupied units with one to three renters who are not operating as a single housekeeping unit.
  - (B) The unit is a part of a licensed lodging facility, such as rooming houses, rental housing units with four or more nonrelated individuals, hotels, motels, inns, hostels, bed and breakfasts, including those designated pursuant to the Somerville Zoning Ordinance.
  - (C) The unit is in a hospital, skilled nursing facility or health facility, a nonprofit facility primarily providing short term treatment, assistance or therapy for alcohol, drug, or other substance use disorder, or a half-way house or group home, including but not limited to elderly, disabled, and substance use disorder programs.
  - (D) The unit is registered as a short-term rental under § 7-254.
  - (E) The unit has been issued a valid preliminary/conditional conversion permit or final conversion permit under § 7-65.

- (F) The unit is housed within a building registered as vacant under § 11-111 of the Somerville Code of Ordinances.
- (b) An owner of any rental housing unit subject to this ordinance shall register all rental housing units on a rental registration form prescribed and made available by the city, to be completed and filed with the director of inspectional services or their designee.
  - (c) If an owner does not reside within 50 miles of Somerville, their rental registration form shall designate a representative that either lives or does business in a 50-mile radius of the city.
  - (d) An owner of a rental housing 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 in a conspicuous place on or about the premises in a location visible to the rental housing unit occupants.
  - (e) An owner, representative, or real estate broker or real estate agent, who advertises the rental housing unit shall include in such listing information about the Somerville rental registration in the method made available and manner prescribed by the director of inspectional Services or their designee.
  - (f) This section shall take effect on June 15, 2028. Registration expires annually on June 15. An owner shall annually renew the registration for a rental housing unit and include any necessary updates to information.

**Sec. 7-291. – Rental energy disclosure.**

- (a) No owner shall rent a rental housing unit without providing an energy disclosure to a prospective rental housing unit occupant unless an exemption or exception applies in this ordinance.
- (b) All owners or representatives of rental housing units shall provide an energy disclosure to prospective rental housing 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) The city may prescribe a different form of energy disclosures and reasonable requirements for buildings with three or fewer units than buildings with four units or greater.
- (d) 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 in a conspicuous place on or about the premises in a location visible to the rental housing unit occupants.
- (e) The rental energy disclosure shall be updated and submitted to the city no less than every five years in the method made available and manner prescribed by the director of inspectional services or their designee.
- (f) This section shall take effect on June 15, 2029. Registration expires every five years on June 15. An owner shall submit a rental energy disclosure for a rental housing unit and include any necessary updates to information.

**Sec. 7-292. – Applicability, Fees, and Hardship exception.**

- (a) The provisions of this ordinance shall apply to all owners of rental housing units in the city of Somerville.
- (b) Fees for this ordinance shall be established by the director of the office of sustainability and environment or their designee.
- (c) Annually before the deadline, an owner of a rental housing unit may apply for an exception of this ordinance to the director of inspectional services or their designee. The department is authorized to grant an exception under this ordinance for reasons including but not limited to the following circumstances:
  - (1) A unit will be demolished within one year of the most recent rental registration filed with the city.
  - (2) An owner is experiencing unusual hardship prior to the express deadline beyond their control, such as natural disaster, government shutdown, riot, strike, war, medical care, death, or incapacitation that would prevent them operationally or financially from providing the required registration and energy disclosure information.

**Sec. 7-293. – 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.

**Sec. 7-294. – 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 can be given effect without the invalid provisions or applications, and to this end, the provisions and applications of this ordinance are severable.

**Sec. 7-295. – Penalties.**

- (a) The provisions of this ordinance shall be enforced by the chief of police, the director 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 § 1-11.
- (1) All appeals shall be made to the hearing officer pursuant to applicable laws.
  - (2) The city shall provide notice to owners in accordance with local, state, and federal laws.
  - (3) Owners are solely responsible for fees, fines, and penalties pursuant to the ordinance.
  - (4) Owners and 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.

**Sec. 7-296. – Reporting.**

Annually beginning in the year 2030, the director of inspectional services or their 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 housing units registered, violations, complaints, and appeals.

**Sec. 7-297. – Appropriations.**

This ordinance shall be subject to appropriation in the ordinary manner.

**Sec. 7-298. – Fine schedule.**

Be it further ordained by the city council that § 1-11(b) of the Code of Ordinances of the City of Somerville is hereby amended by inserting the following:

<b>Offense</b>	<b>Fine</b>	<b>Enforcing Personnel</b>
Failure to possess current rental registration without a valid exception or exemption.	1st offense: Warning 2nd & subsequent offenses: \$10 per unit per day and up to \$300 per building per day, until rental housing unit is registered or renewed.	Inspectional services
Any other violation of this ordinance.	1st offense: Warning 2nd & subsequent offenses: \$25 per unit per day and up to \$300 per building per day, until remedied.	Inspectional services

Approved:

---

President

Approved:

---

Mayor