

Housing Stability Notification Act

Frequently Asked Questions for Tenants

1. What is the Housing Stability Notification Act?

The Housing Stability Notification Act (HSNA) is an Ordinance passed by the City of Boston in October 2020 that requires any landlord planning to end a tenancy agreement to provide the tenant with a **Notice of Tenants' Rights and Resources**.

The HSNA requires that landlords give this Notice of Tenants' Rights and Resources to tenants when the landlord starts the eviction process, or when the landlord decides to not offer the tenant a renewal of their lease agreement. The Notice of Tenants' Rights and Resources must be delivered at the same time as the Notice to Quit.

The Notice of Tenants' Rights and Resources must also be delivered to any tenant that is asked to leave a property. For example, if someone is purchasing a property out of foreclosure, or from a bank or a mortgage lender, they must provide this Notice to the former owners of the property, or any tenants that live in the property.

The HSNA also requires landlords and foreclosing owners to send a copy of the Notice to Quit or Notice of Non-renewal of Lease, together with a **Certificate of Compliance/Service**, to the City of Boston's Office of Housing Stability at:

City of Boston
Department of Neighborhood Development
Landlord Notices, Office of Housing Stability
26 Court Street, 9th Floor
Boston, MA 02108

2. Why was this new Ordinance passed?

The Ordinance was passed to ensure that tenants and former homeowners understand their rights when their tenancy or residential occupancy is being terminated, and that they know about agencies that may be able to assist them.

In many cases, agencies can help find funding to pay back-rent or provide other services necessary to avoid evictions. When it is not possible to resolve eviction issues pre-Court, HSNA will provide tenants/former owners a better opportunity to obtain advice and/or representation.

3. When are these new requirements beginning?

The HSNA becomes effective on November 6, 2020.

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4. What does this mean for me as a tenant?

In the event that your landlord serves you with a Notice to Quit or Notice of Lease Non-renewal or expiration, you should also receive the Notice **of Tenants' Rights and Resources** at the same time.

The Notice of Tenants' Rights and Resources will explain your rights in an eviction and provide information about agencies that may be able to assist you during the eviction process and/or assist you with searching for new housing. Feel free to reach out to the **Office of Housing Stability** at **617-635-4200** or **housingstability@boston.gov** with any questions or concerns.

Your landlord is required to provide a copy of the Notice to Quit and Notice of Non-renewal to the Office of Housing Stability. The City of Boston will not share your personal information and it is not subject to public records requests.

5. Who has to comply with this Ordinance?

The Ordinance applies to all landlords/foreclosing owners intending to end a tenancy or post-foreclosure occupancy of a unit in the City of Boston.

The only exempt properties are residences:

1. in any hospital, skilled nursing facility or health facility; and
2. in a non-profit facility whose primary purpose is providing short-term treatment, assistance or therapy for alcohol, drug, or other substance abuse.

6. Can this requirement ever be waived?

No. The requirements of this Ordinance may not be waived, and any term of any lease, contract, or other agreement that purports to waive or limit a tenant's or former homeowner's substantive or procedural rights under this Ordinance are contrary to public policy, unenforceable, and void.

7. What do I need to do as a tenant if I do not receive the Notice of Tenants' Rights and Resources when I am served with a notice to quit or notice of lease non-renewal?

Violations of the HSNA are investigated by the Office of Fair Housing and Equity (FHE) and enforced by the Inspectional Services Department (ISD). ISD will issue a ticket to your landlord if the required information is not provided to you and you properly report the violation.

In order for ISD to issue a ticket, you will need to do the following:

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1. Call FHE at 617-635-2500 and explain that you are calling to report a violation of the new Housing Stability Notification Act. You can also call 311 and ask for FHE.
2. FHE may direct you to submit your information through an online intake form available on FHE's website: boston.gov/departments/fair-housing-and-equity. If you are unable to use the online form, you may submit any required documentation through the mail to the following address:

City of Boston
Office of Fair Housing and Equity
1 City Hall Square, Rm. 966
Boston, MA 02201

3. Provide FHE with written proof of your tenancy such as your lease, rent receipts, or your name on a notice to quit or court complaint (other items proving your tenancy may be accepted).
4. Provide FHE with a copy of the Notice to Quit or Court Complaint, as well as your landlord or property manager's contact information.

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 City of Boston Ordinances and/or Boston City Charter, shown below.

Housing Stability Notification Act (Sec. 10-11.7)

Enforcement Entity: Inspectional Services Department

1st Offense: Warning

2nd and Subsequent Offenses: \$300 per day

If a landlord violates the HSNA, it **DOES NOT** halt the eviction process.