

# THE TENANT PROTECTION ACT

*H.1378/S.886, “An Act enabling local options for tenant protections”*  
*Lead Sponsors: Reps. Mike Connolly and Nika Elugardo and Senator Adam Gomez*

## THE PROBLEM

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

## ONE PART OF THE SOLUTION

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

## A SET OF FLEXIBLE, LOCAL OPTIONS

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

- **Rent Stabilization**
- **Just Cause Eviction Protections**
- **Notification of Rights and Resources**
- **Regulation of up-front lease fees** (e.g. Brokers' Fees or payment plans for first/last/security)
- **Anti-price gouging protections** while regulations are being implemented

## PROTECTIONS FOR SMALL LANDLORDS, AND OTHER EXEMPTIONS

The Tenant Protection Act **explicitly exempts small, owner-occupant landlords** from any rent regulation. In addition, it empowers municipalities to craft broader exemptions as they deem fit or to specify that certain protections will only apply in specific **anti-displacement zones**.

## LEGISLATIVE HISTORY

First introduced in the 2019-2020 session, the Tenant Protection Act was **reported favorably** by the Joint Committee on Housing on a vote of 13-2 in May 2020. Since last session, the sponsors have streamlined the bill and emphasized its flexible options and protections for small landlords.

## BUILDING MOMENTUM

In 2019, New York state, Oregon, and California all passed rent stabilization laws. More recently, Boston Mayor Michelle Wu won election on a platform that included strong support for rent stabilization, and scores of municipal officials from across the Commonwealth are now in support of local rent stabilization.

## ORGANIZATIONAL SPONSORS

Homes For All Massachusetts, Massachusetts Alliance of HUD Tenants, City Life/Vida Urbana, Massachusetts Voter Table, Chinese Progressive Association, Progressive Massachusetts, Cambridge Housing Justice Coalition, Our Revolution Massachusetts, Community Action Agency of Somerville