

Owner News

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Partnership

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Spring 2003

A conversation with landlord/tenant legal expert Leslie Sammon

Since 1999, MBHP has collaborated with lawyers Marjorie Adams and Leslie Sammon to provide our small property owners with free workshops on landlord-tenant issues.

The lawyers have conducted dozens of extremely popular sessions on topics such as lead paint law, landlord-tenant law, tenant screening, evictions, and discrimination.

Owner News chatted recently with Leslie Sammon to learn more about their practice, typical cases they handle, and to glean some tips.

How long have you been in practice?

Adams & Sammon has been a law firm for five years. Marjorie and I each have been practicing law since 1996.

What are your legal specialties?

We work primarily in these areas:

- Landlord-tenant law, including defense of civil claims brought by tenants, evictions, and defense of tenant evictions;
- Consulting with landlords involved with Section 8 housing;
- Real estate transactions, including representing buyers, sellers, and lenders in closings and contracts for developers;
- Condominium conversions;
- Civil litigation involving real estate.

Tell us about some typical cases.

A typical case involves working with a small landlord who is in a dispute with a tenant. We advise as to what actions the landlord can take to resolve the

issue and whether eviction may be an appropriate measure.

We assist the landlord from the beginning in preparing a proper notice to quit through negotiating with the tenant.

If negotiations fail, we bring the case to trial in the appropriate court.

The typical case lasts between three and four months, but can be longer depending upon the nature of the issue or problem involves.



Attorneys Marjorie Adams (l) and Leslie Sammon

What tips can you give our landlords?

- If you are considering buying a multi-family building that is occupied or is intended to be occupied, hire an attorney who is experienced in landlord-tenant law at the purchase stage. Avoiding pitfalls in the beginning can save your substantial legal fees later.
- If you are having a problem with a tenant, it's fine to discuss it with the tenant once, but if the problem continues, put your grievance in writing to document it.
- Keep records for each tenant (even prospective tenants) including rental applications, credit reports, etc. for at least five years to protect yourself against potential claims. It is good record keeping to have a file for each tenant with all correspondence, records of repairs, legal forms, etc.
- Don't let a tenant get more than three months behind in rent, otherwise you might never see it.

You can always enter a payment plan with a tenant, but it is better to have a payment plan for one or two months' worth of rent rather than four to five. Get notices for non-payment out in the first month that the tenant owes rent.

Tell us about yourselves.

Marjorie Adams was a property manager for ten years before she became an attorney. She is a graduate of Fitchburg State College and earned her law degree from Suffolk University Law School. Marjorie has lectured extensively in the area of landlord-tenant law and has written several articles on issues of concern to property owners and managers.

I have represented small landlords and management companies in Boston Housing Court, district court, and before administrative agencies. I graduated from Mount Holyoke College and received my law degree from Boston College.

Before starting the law firm with Marjorie, I worked for the Massachusetts Commission Against Discrimination, investigating complaints of discrimination in both housing and employment. I've also conducted training for local civil rights organizations concerning the fair housing laws and the investigation of civil rights complaints. ❖

To order a copy of Basic Landlord/Tenant Law for the Small Property Owner, contact Marjorie Adams at:
Adams & Sammon
295 Devonshire Street, 2nd Floor
Boston, MA 02110
Phone: 617-451-7241
Fax: 617-422-1428

New leadership at MBHP

In December 2002 MBHP's board announced the appointment of **Julia Kehoe** as executive director and **Jeffrey Cordon** as chief operating officer of the agency.

Julia Kehoe joined MBHP in July 1999 as director of rental assistance and was soon promoted to chief program officer. Prior to MBHP she was budget director at the state's Department of Housing and Community Development. She has a master's degree in public policy from Harvard University's John F. Kennedy School of Government and a BA in English from Barnard College at Columbia University.

"My goal is to work as closely as possible with our community partners and property owners to provide the highest quality services, even in these austere times," she says.

Jeffrey Cordon began at MBHP in March 2002 as the agency's interim chief financial officer and shortly thereafter was named director of operations. Prior to MBHP he was with State Street Corporation. He has a BA in economics from Penn State University and is a certified public accountant.

"MBHP's mission is to help families find decent, affordable housing," he says. "I hope to assist the dedicated staff here as they continue to provide the variety of services to our clients that will enable them to achieve that goal." ❀

The Spring Landlord Workshops are tentatively scheduled as follows:

March:

- ❀ Section 8 Briefing
- ❀ Lead Paint Law

April:

- ❀ Section 8 Briefing
- ❀ Landlord/Tenant Law

May:

- ❀ Section 8 Briefing
- ❀ Landlord/Tenant Law

Look for flyers with the monthly checks with dates, times, and locations! ❀

Home modifications keep families together

For Massachusetts residents with disabilities, a few simple changes — a ramp, enlarged doorways, a roll-in shower — can make the difference between living at home and living in a nursing or rehabilitation facility, away from family and friends.

Since the Massachusetts Rehabilitation Commission launched the Home Modifications Loan Program (HMLP) in 1999, nearly 300 Massachusetts families have made their homes accessible for themselves, a child, spouse, or parent.

The program provides no-interest and low-interest loans to income-qualified homeowners. Loans range from \$1,000 to \$25,000, with an average of about \$19,000.

In Greater Boston, MBHP manages the program. Staff work with participants on paperwork, give guidance on choosing a contractor, and monitor the construction process.

Revere residents Luis and Sara Martinez were able to get modifications to their home to accommodate the needs of their three-year-old daughter, Carolina, who has muscular dystrophy. The family had to be able to navigate Carolina's pushchair around the house, somehow get around the steep flight of steps into the home, and to use the bathroom. The loan paid for a wheelchair lift onto their rear porch, lowered thresholds, and a renovated bathroom.

"The Home Loan Modification Program is a national model for using a small amount of public money to make a huge difference in the lives of people with disabilities," notes Valerie Fletcher, executive director of Adaptive Environments in Boston.

For details of the program or to discuss your family's needs, contact Cindy Walling at 617-425-6693 or e-mail cynthia.walling@mbhp.org. More information is available at the MBHP Web site: www.mbhp.org. ❀



Luis Martinez and Carolina use the chairlift to come in and out of the house.

Energy-saving tips from Keyspan

Did you know that Keyspan offers a Residential Weatherization Program for property owners? This program can make homes more energy-efficient year round, with some simple, easily installed measures to make your heating and cooling systems more effective.

In addition, when any or all of the qualifying measures are installed, Keyspan will provide various rebates to Keyspan energy delivery customers in New England. Some of the weatherization measures include:

- Attic and wall insulation
- Basement or crawl space insulation
- Heating system duct insulation
- Ductwork leakage testing and sealing
- Attic ventilation
- Rim joist insulation
- Air infiltration testing and sealing

For more information, contact the Efficiency Experts at Keyspan Energy Delivery at 1-800-292-2032 or saveenergy@honeywell.com.

Also, there is a Residential Conservation Services program where homeowners or renters can receive free energy efficiency information and get home energy assessments.

Call 1-866-527-SAVE (7283), ext. 600 for more information. ❀