

Under the provisions of Section 2-5 of the City Charter, I, Kathleen B. McMenimen, City Council President, hereby call a Special Meeting of the Waltham City Council for Wednesday, June 21, 2023 at 6:30 p.m. in the Auditorium, at the Clark Government Center Building, 119 School Street, Waltham, MA., for the purpose of gathering additional information and attempting to ascertain the will of the people on the matter listed below. No other matters shall be considered.

Citizen Input Hearing

AN ORDINANCE AMENDING CHAPTER 12 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED “PLANNING” AS FOLLOWS:

Be it Ordained that Chapter 12 of the General Ordinances of the City of Waltham, entitled “PLANNING,” as most recently amended, is hereby further amended by adding ARTICLE III, entitled “HOUSING RIGHTS NOTIFICATION,” as follows:

ARTICLE III

Housing Rights Notification

Section 12-35. Purpose.

The purpose of this ordinance is to provide Waltham residents with resources and promote housing stability.

Section 12-36. Definitions.

"Former Homeowner" means any natural person or group of natural persons who, prior to foreclosure of a housing accommodation, had been the title owner or owners of such housing accommodation, or who has a legal or beneficial interest in the housing accommodation by dissolution of marriage, separation agreement, survivorship, devise, or intestate succession, and who at the time of foreclosure actually occupied such housing accommodation as a resident or residents.

"Foreclosing Owner" means any natural person or entity that holds title in any capacity, directly or indirectly without limitation, whether in its own name, as trustee or as beneficiary, to a housing accommodation that has been foreclosed upon and either (1) held or owned a mortgage or other security interest in the housing accommodation at any point prior to the foreclosure of the housing accommodation, or is the subsidiary, parent, trustee, or agent thereof; or (2) is an institutional mortgagee that acquires or holds title to the housing accommodation; or (3) is the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

"Landlord" means owner of record, or lessor or sublessor of an owner of record, or any other person, project, housing development, or other entity entitled either to receive rent for the use and occupancy of any rental unit or to maintain an action for possession of a rental unit, or an agent, representative, successor, or assignee of any of the foregoing.

"Lease non-renewal or expiration" means a provision in a written rental agreement for a housing accommodation or rental unit that the lease will expire either as of a fixed date, or at the election of the owner for the failure of the tenant to take certain affirmative action.

Section 12-37. Applicability.

The provisions of this ordinance shall apply to all rental units and housing accommodations in the City of Waltham, in whole or in part, where a new lease or a renewal of a lease has been put into effect in addition to when a notice to quit or other notice of lease nonrenewal or expiration has been served, or should have been served, on the tenant or former homeowner of any such rental unit or housing accommodation as of the effective date of this ordinance, but where any such rental unit or housing accommodation has not yet been vacated or a final order of judgment for possession has not entered as of the effective date of this ordinance. This information should also be distributed to households within the same notice of city correspondence such as taxes and water bills.

Section 12-38. Required Notice.

When a landlord or foreclosing owner serves the tenant or former homeowners any notice to quit or notice of lease nonrenewal or expiration, such landlord or foreclosing owner shall, at the same time, also provide the tenant or former homeowner with an up to date notice of basic housing rights and resources, including a list of organizations available to assist tenants and/or former homeowners with their contact information, on a form or forms prepared by the City of Waltham and/or other community partners designated by the City of Waltham which shall be attached thereto. This notice is to be provided by the landlord in the language requested by the tenant at the start or renewal of the lease and a second time no less than thirty (30) days before the lease expiration or nonrenewal.

Section 12-39. Enforcement

The provisions of this Ordinance shall be enforced by the City of Waltham Housing Division under the provisions of Section 1-13 of the General Ordinances.

Section 12-40. 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 a tenant's or former homeowner's substantive or procedural rights under this ordinance is contrary to public policy, unenforceable, and void.