



BOH Forms: #19 Housing Issues Checklist

Board of Health and Local Health Department Standard Operating Procedures (SOP)

This **Checklist** highlights many of the steps needed to address temp/alternative housing issues, questions and complaints. The checklist is designed to be used in tandem with the Region 1 **SOG: Housing**. BOXES CAN BE CHECKED WITH the CURSOR.

Definitions

- **Dwelling Unit:** Room or group of rooms intended for use by an individual, family, household for living, sleeping, cooking, eating
- **Residence:** Any structure used for or intended for human habitation and all other structures on the same lot.
- **Rooming House:** Residence with 1+ rented units to 4+ unrelated persons. Includes, hotels, dormitories, boarding houses, etc.
- **Short-term Rental (STR):** Residence rented for 15+ days in a year for less than 31 continuous days to one renter. Doesn't include month-to-month rentals. STRs must be registered with the State and locals and pay lodging taxes.
- **Alternative Housing:** Single-family, owner-occupied mobile or permanent residence approved by the BOH to reduce energy or environmental impact. This unit may not be rented out.
- **Temporary Housing 1:** A mobile structure on premises for less than 30 calendar days in a year that does not create a public health nuisance. Includes tents, trailers, vans, etc. Longer than 30 days requires a variance from the BOH. This Unit may not be rented.
- **Temporary Housing 2:** A mobile or permanent structure providing shelter with living, sleeping, eating, cooking, sanitation for one household intermittent periods of time in a calendar year not to exceed 90 consecutive days without a variance from the BOH.
- **Temporary Emergency Shelter:** Space owned by Federally qualified religious organizations providing occasional shortterm shelter
- **Retreats, Conference Centers, Camps, Dormitories, Homeless Shelters, and the like intended for human habitation.**

Note: All Dwelling Units should be approved by the BOH prior to initial occupancy. At the BOH's discretion this may include Temporary Housing and must include Alternative Housing. The BOH has the discretion to grant waivers or variances that do not endanger the public health based on local conditions and needs and Codes. Temporary/Alternative Housing should not be rented.

Temporary/Alternative Housing Application – Based on the new Housing Code May 12, 2023.

1. Applicant Name:
2. Applicant Phone Number, Email, Mailing Address:
3. Proposed Location/Site Address:
4. Proposed Dates of Use (Winter months require heat):
 - Temporary Housing less than 30 days - nuisance regulations apply
 - Temporary Housing 30 – 90 days – housing code regulations apply
5. Proposed Number of Occupants with Ages (may not be suitable for small children):
6. Type of Alternative or Temporary Housing:
 - Tent, Yurt, etc.
 - Mobile Structure: Trailer/RV/Tiny House
 - Permanent Structure (Building/Occupancy Permit
7. Owner of Property – written permission required:
 - Permit does not imply permission to locate the Alternative Dwelling anywhere on a property without all local approvals:
 - i. Zoning Officials: Zoning and Residential Use
 - ii. Building Officials: Wood Stove Permits; Tent Permits (Fire Resistant label); maybe occupancy permit
 - iii. Electrical Officials: Electrical Connections: GFIs; Temporary Exterior Extension Cords must be approved
 - iv. Fire: Propane, Smoke Alarms, CO Alarms
 - v. DPW: Driveway Permits
8. Type of Proposed Lodging/Structure
 - Square Footage
 - Sleeping Accommodations
 - Cooking Facility
 - Weather Tightness
 - Heat Source, Smoke & CO Detectors
9. Potable Water Plan: Approved Source
10. Power/Electricity Plan – may need an electrical permit
11. Waste Disposal Plan
 - a. Toilets – Best to connect to sewer, new septic system, or existing system with excess capacity.
 - i. Composting toilet (not designed for greywater flows)

- ii. Incinerating (not designed for greywater flows)
- iii. Privy's need a perc test to determine ground water and likely not allowed in Title 5.
- b. Greywater – Options
 - i. Public Sewer
 - ii. Private Septic if there is adequate capacity for increased flow. May need extra pumping and monitoring.
 - iii. Holding Tank: concrete, plastic, bladder with Pumper Contract – needs a variance.
 - iv. Subsurface Greywater System
 - 1. Designed under Title 5
 - 2. Alternative Innovative Design
 - 3. Other – needs variance.
- c. Solid Waste Plan – trash & recycling

Temporary/Alternative Housing Permit Conditions to Consider

Note: The Zoning Officer, Building Inspector, Fire Inspector, Highway Supervisor, and others may also have jurisdiction.

Permit Requirements/Conditions

- a. May not cause a nuisance and must cease and desist when ordered to do so.
- b. Must allow the BOH to inspect with 24 hours' notice.
- c. Must remove Alternative/Temporary Dwelling within 10 days if ordered to do so. May request a hearing within those 10 days.
- d. Any changes must be first approved by the BOH
- e. May not be used as rental housing without special permission from the BOH
- f. Must Post Address that meets Code Requirements for size and durability at street and on the structures.
- g. Must comply with all other local regulations and requirements such as police, fire, zoning, building.

Housing Issues or Housing Complaints – Based on the new Housing Code May 12, 2023.

Investigate

- Immediately log all complaints into a bound Complaint Book or Computer File that dates entries with all known details.
- Complaints can be made anonymously. If names are in the files, they are public.
- There is no report or follow-up if the complaint is anonymous.
- Critical issues must be investigated within 24 hours or as soon as possible for endangerment violations and within 5 business days for others. Investigation includes calling, virtual inspection, driving by, file review, interviews, in-person.
 - Heat: Sept 15 to May 31 at 68F day/64F night (max 78F during heating season in any habitable room) 5 ft up and over from any wall. BOH may adjust heating season to Sept 30 - May 15 based on local conditions.
 - Potable water; Sufficient drinking water and hot water between 110 F and 130 F.
 - Gas; Electric; Toilets; Sewerage, Venting
 - Exits; Security, Railings, Guards, Structural Defects, Smoke/CO detectors,
 - Trash, Pests, Harborage
 - Lead paint; Asbestos dust, Children/Elders at risk
- BOH/Agent must personally observe the violations/issues. Complaints are hearsay without verifiable evidence.
- Any issues visible from the street or walking up to the front door can be cited.
- Inspection permission must be given by **OCCUPANT or their agent over 18.** (Agent: anyone with control of the Unit)
- Owners are usually notified after the inspection and issues are verified; they are not entitled to be at inspections.
- Occupant can be cited for unsafe/unsanitary conditions they caused.
 - May take fire, police, building inspectors along, as appropriate.

Inspection Request

- Send written notice to **Occupant** of date/time of scheduled inspection. The Property Owner is not normally notified.
- Follow up with phone call and email; date/time can reasonably be adjusted as determined by the Inspector.
- If access denied, obtain Court Order for Administrative Search Warrant.
- If Court order for access ignored, go back to court for contempt ruling.
- BOH must ALWAYS have permission or court order to enter an occupied property unless a true emergency.
- Permission to enter from fire/police are NOT substitutes for Occupant's permission.

Inspection (Refer to the Housing SOP and Housing Inspection Form for Details) – Use New Housing Inspection Form

- Remember safety first at all times. Call 911 immediately if threatened or take a police officer along on the inspection.
- Wear sturdy clothing/boots and have PPE available in case hazards such as molds and other toxins are encountered
- Bring a flashlight and inspection form.
- Identify yourself and ask permission to enter.

- Offer a full inspection. Must inspect/verify all complaints.
- Note all violations.
- Highlight any immediate health and safety issues such as lack of heat in the winter, lack of drinking water, hazardous steps/railings, lack of proper sanitation, filth and garbage, etc. Refer to the inspection form for details.

Issue Orders

- Orders/notices must be properly served to be valid. Must be in writing, delivered in person, posted the person's usual abode, and/or by registered mail with return receipt. Not accepting registered mail is not a no-notice defense.
 - Also send notice by regular mail and email with read receipt to ensure timely delivery.
 - If Orders ignored, go to Court to enforce.

Hold Hearing

- If enough cause; BOH may hold a Hearing anytime to gather or clarify evidence before making a decision.
- Always hold a hearing if condemning a property. If the Dwelling is occupied, a hearing is required. Must allow at least 5 days after the orders are served to hold the hearing.
- Always request a court hearing before demolishing a property, though not required.
- Owner or Occupant may request Hearing within 7 days to discuss orders.
- BOH Hearing Basics:
 - Hearing is a BOH Meeting and must be properly posted 48 hours in advance, unless an emergency.
 - BOH must have a quorum and keep proper minutes.
 - Occupant and owner must be properly notified.
 - No decisions are required to be made the day of a Hearing; the BOH can take time to consider the evidence.
- All decisions/orders should be in writing and sent to Owner and Occupant.

Go to Court – Court now often requires Town Counsel to attend the Court Hearing. May be scheduled virtually.

- Take lots of pictures and document all the issues/evidence/testimony.
- Bring a detailed list of what you want court to do and why with Code citations.
- Bring a copy of the Housing Code (105 CMR 410) to court to cite relevant laws, especially important in non-Housing Courts.
- May ask the Court to establish a Receivership to manage the cleanup and obtain payoff work liens through sale of the property
- Notify Town/City Counsel that BOH is taking court action. Housing Court now often requires Town/City Counsel attend
- Use Housing Court if possible but may use any Superior Court.
- Housing Court Clerks can help complete paperwork.
- Court Date; plan on waiting all day to be heard, though this is changing and the Hearing may be virtual.
- Make sure Court Order includes order to allow BOH to inspect whole property.
- Request Injunctive Relief if Court/BOH orders ignored.
- Remember to complete & return all Court paperwork on time.

Cleanup/Follow Up

- Property owners are always the responsible party with very few exceptions.
- Other Responsible Parties may include neighbors and/or tenants who are causing public nuisance/health violations/hazards.
- BOH or their agent may complete the repairs/cleanup and tax lien the property, including Court ordered Receivership
- May issue Certificate of Compliance if Owner is in substantial compliance, but not required.
- May pass a local regulation requiring a fee for a Certificate of Compliance.
- May pass a local regulation requiring pre-rental or short-term rental registration, inspections, and fees.

Misc.

- HIPPA only applies when paying/providing medical services, but never share medical information at a public BOH Mtg.
- BOH/staff are mandatory reporters for evidence of child/elder abuse. If in doubt, report to Child or Elder Services.
- Housing issues seldom just go away. Better to address them immediately.

Housing Inspection Form

Agency Name, Address, Phone

105 Code of Massachusetts Regulations (CMR) 410.000: *Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II*

Address	Unit #	City/Town
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Date: _____ Time: _____ Total # Unit Occupants: _____ Total Unit Occupants <6 Yrs. Old: _____	
Occupant Name:	Occupant Phone #:
Owner Name:	Owner Phone #:
Owner Address:	City/Town: Zip Code:
# Dwelling/ Rooming Units in Dwelling:	# Stories: Floor Level of Unit:
# Sleeping Rooms:	# Habitable Rooms:
Homeless Shelter?	Yes No

Inspector

Title

If violations are observed and checked, describe them fully on Page 3.

	Type of Violation Use blank boxes for violations not listed	Possible Code Section(s)	Violation Observed			Responsible Party	
						Owner	Occupant 410.240
Exterior, Yard & Porch	Locks	270					
	Posting, ID, Exit signs/emergency lights	310, 400, 410					
	Handrails, steps, doors windows, roof	500, 510, 520, 500, 530					
	Rubbish—storage and collection	560					
	Maintenance of Area	570					
Common Areas & Entry	Illumination, windows	220, 300, 530,					
	Egress	260					
	Handrails	520					
Interior Halls & Stairs	Floors, walls ceilings	500					
	Hallways, railings, stairs	520					
	Light, windows	220, 300, 530, 540					
Bedroom 1	Location (circle): Front Rear Middle		Left Middle Right	Floor Level of Unit			
	Ventilation	220					
	Ceiling height/Minimum Square Footage	420					
	Windows, screen	530, 540					
	Lights/Outlets	140, 300					
Bedroom 2	Location (circle): Front Rear Middle		Left Middle Right	Floor Level of Unit			
	Ventilation	220					
	Ceiling height/Minimum Square Footage	420					
	Windows, screen	530, 540					
	Lights/Outlets	140, 300					
Bathroom	Toilet, sink, shower, tub, door	110, 120, 140					
	Smooth, impervious surfaces	110					
	Lights, outlets, ventilation	140, 220, 300					
	Floors/walls	110					

	Type of Violation Use blank boxes for violations not listed	Possible Code Section(s)	Violation Observed	Responsible Party	
				Owner	Occupant 410.240
Kitchen	Sink, stove, oven; good repair, cabinets, shelving, countertops impervious and smooth, space for a refrigerator	100			
	Lights, outlets, ventilation, windows, screens	220, 430, 530, 540			
	Ceiling height	420			
	Floor	100			
Living room and Dining Room	Lights, outlets, ventilation	220, 235, 300,			
	Ceiling height	420			
	Windows/screens	530, 540			
Basement	Maintenance	500			
	Watertight	500			
	Illumination	300			
Water	Source (circle): Public Private				
	Not Potable	130			
	Quantity, pressure	130			
	Responsible for paying MGL ch 186 s 22, metering	130			
Hot Water	Fuel Type (circle): Natural Gas Oil Electric Other Temp.: ____ °f Location taken:				
	Quantity and/or pressure insufficient or temperature above or below required temps Sinks - 110 F min, 130 F max Bath/shower 110 F min – 120 F max	150			
	Venting of water heater	170			
Heating	Type (circle): Forced Hot Water Forced Hot Air Steam Electric Other:_____ Temp.: ____ °f Location taken:				
	Impermissible portable units or space heaters (e.g. fuel supply located less than 42 inches from burner, unvented gas burning units)	160			
	Minimum temperatures not maintained in every Habitable room and every bathroom during heating season (5/31 – 9/15) 7 am to 11 pm: 68 F Note: measure 5 feet from wall, 5 feet from floor	180			
	Venting, metering	170, 200, 210			
Electrical	Type (circle): 110 220 Amp:				
	Metering and access	200			
	Insufficient amperage, temporary wiring,	320			
	Type (circle): Public Private				

	Type of Violation Use blank boxes for violations not listed	Possible Code Section(s)	Violation Observed	Responsible Party	
				Owner	Occupant 410.240
Drainage, Plumbing	Insufficient or unmaintained Sanitary drainage system	130, 235, 300			
Smoke & CO Detectors	Not in required locations or operational	330			
Pests	Pests (rodents, skunks, cockroaches, insects)	550, 570			
	Structural maintenance and elimination of harborage	500, 540			
Asbestos	Damaged, friable, holes, cracks, tears	250			
Lead Paint	Licensed Code Enforcement Lead Determinators offer determination for pre-'78 unit with a child < 6	410.470 105 CMR 460.00			
Curtailment	Curtailment without reasonable notice or temporary emergency	003			
Access	Less than 48 hours' notice to the occupant for non- emergency repairs	003			
Laundering	Laundering between individuals (Bed linens/towels/blankets)	230			
	Laundering frequency (Bed linens/towels/blankets/pillo w & mattress covers)				
	Mattress not cleaned or replaced when not in good condition.				
Other					

CITY/TOWN

Address

CORRECTION ORDER

Issued under the provisions of 105 Code of Massachusetts Regulations (CMR) 410.000:
Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II

Date:

To: (Name of Owner, LLC, and/or Property Manager)
(Mailing address of Owner, LLC, or Property Manager)

An inspection was conducted at your property located at (Insert address: street number, street name, street type unit # if applicable and town.) on (Insert date). Be advised that an agent of the Local Health Authority has determined certain portions of this residential property to be in violation of the State Sanitary Code, 105 Code of Massachusetts Regulations (CMR) 410.000, *Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II*. The following violations of 105 CMR 410.000 were identified:

Regulatory Cite:	Description	Condition Deemed to Endanger or Materially Impair Health or Safety? Yes/No <i>(105 CMR 410.630 (A))</i>	Timeframe for Compliance

You are hereby **ORDERED** to correct these violations within the noted timeframe, pursuant to 105 CMR 410.640. Failure to comply may result in court action.

You have a right to request a hearing before the (insert Local Health Authority). To request a hearing, you must submit a written request to the Local Health Authority within seven days after the day this order was served. If you request a hearing, all affected parties will be informed of the date, time, and place of the hearing, as well as their right to inspect and copy all records concerning the matter to be heard. You have the right to be represented at the hearing. Conditions may exist which will allow the occupant of the residence to exercise legal rights outlined in the *Notice of Occupant's Legal Rights and Responsibilities* issued by the Department of Public Health Community Sanitation Program (CSP).

This is an important legal document. It may affect your rights. You should have it translated.

Kel-li é un dokumentu legal inportanti. El pode afeta bus direitu. Bu debe tene-l traduzidu.

Ky është një dokument ligjor i rëndësishëm Përmbajtja e tij mund të ndikojë në të drejtat tuaja. Dokumenti duhet të përkthehet.

هذه وثيقة قانونية مهمة. وقد تؤثر على حقوقك. فينبغي عليك ترجمتها.

这是一份重要的法律文件。它可能会影响到您的权利。您应该将它翻译出来。

這是一份重要的法律文件。它可能會影響您的權利。您應該將其翻譯為個人首選的語言版本。

Це важливий юридичний документ. Він може вплинути на ваші права. Вам потрібна його перекладена версія.

Đây là một tài liệu pháp lý quan trọng. Tài liệu này có thể ảnh hưởng tới các quyền của bạn. Bạn cần được dịch tài liệu này.

Este é um documento legal importante. Ele pode afetar seus direitos. É aconselhável traduzi-lo.

Это важный юридический документ. Он может повлиять на Ваши права. Вам необходимо иметь его переведенную версию.

Kani waa dukumiinti sharci ah oo muhiim ah. Wuxuu saameyn kartaa xuquuqahaaga. Waa in lagu tarjuma.

Hii ni hati muhimu ya kisheria. Inaweza kuathiri haki zako. Inapaswa kutafsiriwa.

Sa a se yon dokiman legal enpòtan. Li ka gen enpak sou dwa w. Ou ta dwe bay tradui l.

នេះគឺជាឯកសារច្បាប់ដ៏សំខាន់មួយ។ វាអាចនឹងប៉ះពាល់ដល់សិទ្ធិរបស់អ្នក។

អ្នកគួរតែឱ្យគេបកប្រែឯកសារនេះ។

دا يو مهم حقوقي سند دی دا کېدای شي ستاسو پر حقونو اغېز وکړي. تاسو باید د دې ژباړه ولری.

این یک سند حقوقی مهم است. ممکن است بالای حقوق شما تأثیر بگذارد. شما باید آن را ترجمه کنید.

Este es un documento legal importante. Es posible que afecte sus derechos. Debería traducirlo.

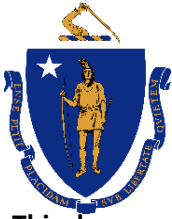
Il s'agit d'un document juridique important. Il peut affecter vos droits. Vous devriez le faire traduire.

Your Name, title

Agency Name

Attachment: Inspection Form

Certified Mail, return receipt # to Owner/regular mail to occupants



The Commonwealth of Massachusetts

Department of Public Health

Notice of Occupants’ Legal Rights and Responsibilities

This document summarizes some of the legal options that you may have when the owner of a property you live in has not fixed certain problems in your home, as required by the state Housing Code (105 CMR 410.000). This is not legal advice. Talk to an attorney before you decide to withhold your rent or take other action described here.

Safe and Healthy Rental Housing:

Rental housing in Massachusetts must meet minimum standards to protect the health, safety, and well-being of occupants. The Housing Code, [105 CMR 410.000](#), *Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter II)*, is the state regulation that sets these minimum standards. The Massachusetts Department of Public Health, Bureau of Environmental Health’s [Community Sanitation Program](#) (CSP) issues this regulation, but the standards are enforced by local health departments.¹ CSP works with local health departments and the public to provide training and technical assistance about the Housing Code. For more information, please see [mass.gov/lists/housing-community-sanitation](#).

Your Responsibility to Keep Your House Safe and Healthy

The Housing Code also has requirements that people living in rented homes or apartments need to meet. There are some problems like pests, mold, and keeping exits clear, that might need the owners and occupants to work together to fix the problem. For example, occupants need to make sure there is no food or garbage left out that could attract pests or keep their belongings out of exit hallways. If the local health department is doing an inspection, either by your request or for another issue, the local health department may tell you there is something that you need to fix. The local health department may issue you an order to correct and give you a certain amount of time to fix the problem.

Your Right to Safe and Healthy Housing and Protection from Retaliation

If you think that conditions in your home are unsafe or unsanitary and may violate the Housing Code, you should contact your local health department. They will conduct free inspections of your home and will order your landlord to fix any violations of the Housing Code. You can find contact information for your local health department by calling your city or town hall or visiting their website. City/town websites are listed at: [mass.gov/lists/massachusetts-city-and-town-websites](#).

Your landlord is not allowed to raise your rent or try to evict you just because you have made a complaint to them or to the local health department about the violations. This is called retaliation, and you may be able to sue the landlord for damages if this happens (M.G.L. c.186, s.18 and c.239, s.2A).

Your Right to a Hearing

You may ask for a hearing in front of your local Board of Health. You must do this in writing and within the timeframes below. If you send a written request on time to the local health department, a hearing will be held within 14 calendar days. **If you do not make a written request within the timeframes below, you lose the right to a hearing.** The chart below shows the reasons you may request a hearing, and the timeframe you have to send the request.

Reason You May Request a Hearing	Number of Days to Make the Request in Writing
Your home was not inspected	30 days from the day you contacted health department
The inspector did not find violations you think exist	30 days from the last inspection by the health department
The inspector did not issue an order to correct violations	30 days from the last inspection by the health department
The inspector did not enforce the order to correct	45 days from when the owner received the order to correct

Within **five days** after the hearing, the local health department is required to issue a final decision on your complaint (105 CMR 410.840). If you do not agree with the decision, or at any point throughout the process, you can file an appeal in housing court.

Your Options if an Owner Does Not Fix the Problems

If your landlord does not fix violations of the Housing Code in your home, you may have some options as described below. These are not your only options, but they are common actions that tenants take in these situations. Before taking legal action, contact an attorney to protect yourself. If you cannot afford an attorney, **you may be eligible for free legal aid services.** Go to [masslrf.org](#) to

¹ Depending on your city or town, this may also be called a Local Board of Health (BOH), Local Health Authority, or Inspectional Services Department. This is the local code enforcement authority responsible for enforcing the regulations.

[find available options for free legal advice](#). To find additional information on tenant legal rights and responsibilities, visit: masslegalhelp.org/legal-tactics or madeuptocode.org.

Option 1: Go to Court

If your landlord does not fix the problems that the local health department ordered them to fix, or if you believe there are problems in your home that may be in violation of the Housing Code, you may also ask a court in your area to order your landlord to correct the problems.

To file a complaint, contact the Housing or District Court Clerk in your region. To find the closest Housing or District Court go to mass.gov/orgs/housing-court/locations or mass.gov/orgs/district-court/locations. These courts deal with cases about residential housing including eviction, property damage, and Housing Code enforcement. For help filing a complaint, you can contact Court Service Centers at mass.gov/info-details/learn-about-court-service-centers.

You can request that the court order the landlord to:

Fix the Problem: You or the local health department may file a petition in Housing or District Court to order the owner to fix the violations of the Housing Code (M.G.L. c. 111, s. 127 A, C).

and/or

Refund Rent You Have Paid: You can file a complaint requesting that your landlord pay back all or part of the rent you paid during the time that there were Housing Code violations. You can claim either 1) Breach of Warranty of Habitability or 2) Unfair and Deceptive Practices (M.G.L. c. 93A), or both.

For both claims, you will need to prove that your home had Housing Code violations, and that the owner knew about the violations and did not fix them. Breach of Warranty can also be filed by the local health department.

Option 2: Withhold Rent Until Repairs are Made

If your landlord does not correct *certain* housing code violations, you may be able to hold back some or all of your rent payment until they make repairs (M.G.L. c. 239, s. 8A). **Save the rent money you withhold.** A judge may require you to pay all or some of it back. If they do and you don't have this money, you may be evicted. If you withhold rent and your landlord tries to evict you from your home, you will need to prove, at a minimum, that:

- The violations may endanger or materially impair the health, safety, or well-being of a tenant;²
- The rental property owner knew about the violations before you started withholding your rent; and
- You did not cause the violations.

Option 3: Make the Repairs Yourself

State law allows you to use your rent money to pay for certain repairs (M.G.L. c. 111, s.127L), and not pay that amount in rent to your landlord. You cannot withhold more than 4 months' rent in a 12-month period to pay for repairs. If you withhold some or all your rent and use it to make repairs and your landlord tries to evict you from your home, you will need to prove:

- The local health department or court determined that the violations may endanger or materially impair the health, safety, or well-being of a residential tenant;²
- The landlord was issued an Order to Correct those violations; and
- The owner did not start the repairs (or to sign a contract for work) within 5 days after getting the Order and did not complete repairs within 14 days after receiving the notice of violations.

Option 4: End your Lease Early and Move

If you meet certain conditions, you may be able to end your lease or rental agreement and move out within a reasonable time. Contact an attorney to find out more about this option. If you cannot afford an attorney, **you may be eligible for free legal aid services**. Go to masslrf.org to find available options for free legal advice.

² These are serious violations which include problems such as not having heat, hot water, electricity or gas, or exits that are blocked.