

## **CONDOMINIUM REVIEW BOARD**

### **APPLICATION FOR CONDOMINIUM CONVERSION**

Before submitting this application, please send notification and required tenant documents (Pages 12-18 of this application) to each tenant household and the Condominium Review Board pursuant to Sec. 7-64 (1)(b) of the Somerville Condominium Conversion Ordinance. This application must be submitted within **30 days** of notice being provided to any tenants.

#### **Please be advised of the following information:**

The Condominium Conversion Board holds hearings monthly, typically the fourth Monday of each month. Information on meeting times and locations can be found on the Condominium Review Board webpage – [www.somervillema.gov/departments/condominium-review-board](http://www.somervillema.gov/departments/condominium-review-board).

All applications must be received at the Housing Division- Mayor's Office of Strategic Planning and Community Development by Condominium Review Board Staff, located **on the second floor of the City Hall Annex, 50 Evergreen Avenue, Somerville, MA 02145**. Application due dates are also posted on the Condominium Review Board webpage, and are typically the Wednesday prior to any given hearing at 12:00pm.

Please fill out all included forms completely, provide all tenant documents to all tenants promptly and provide all requested documents detailed on page 2 of this application. All statements are signed under the pains and penalties of perjury. Any application that does not include the required filing fee (\$600 per unit) will NOT be accepted.

For further information, contact Hannah Carrillo by telephone at 617-625-6600, x. 2575 or by e-mail at [hcarrillo@somervillema.gov](mailto:hcarrillo@somervillema.gov).

The following documents must be submitted in order to apply for a Condominium Conversion Permit:

1. This application, completely filled out and including the following notarized affidavits, when applicable:
  - The names of all tenants in any unit(s) to be converted at the time notice was provided (**Affidavit A**, page 8) and;
  - For vacant units, the names of all tenants who had been living in the unit(s) during the preceding twelve months from the time the application was submitted (**Affidavit B**, page 9) and;
  - **Affidavit C** (page 10), attesting to the fact that proper notice was provided and that the declarant has not and, to the best of their knowledge, their predecessors in title have not violated Section 7-64 (1)(a) and (b) of the Ordinance and;
  - **Affidavit D** (page 11), attesting to how required notice was provided to eligible tenant(s).

Applicants must utilize the affidavit forms included in this application. **Please note: All affidavits must be notarized.**

2. Copies of any additional notices sent to any applicable tenants in addition to the required tenant documents (pages 13-18 of this application).
3. A Certificate of Good Standing, which can be obtained from the City of Somerville's Treasury Department.
4. A final water bill with a 'received payment' stamp and/or a paid receipt reflecting that there are no water charges owed on the property. Both the bill and the receipt (or stamped bill) must be obtained no more than 30 days prior to the date of hearing from the Treasury Department. Please call the Water Department at (617)-625-6600 x. 5850 to arrange for a final water meter reading. All water accounts serving the subject property must be paid in full. Please allow at least five business days to process this request.
5. A certified check or money order made payable to the City of Somerville to cover the nonrefundable filing fee (\$600.00 per unit).
6. A copy of the deed granting the property to be converted to the declarant (available at <http://www.masslandrecords.com/MiddlesexSouth/>).
7. \*A condominium master deed for the property. The master deed does not have to be filed with the Registry of Deeds before it is submitted with the permit application but should be in final form, ready for filing with the Registry of Deeds.
8. \*A report of an independent, licensed engineer or architect describing the **present** condition of all structural components and major mechanical systems of the building and also including the approximate dates of construction, installation, major repairs and the expected useful life of each such item.

The complete application must be received by the Wednesday at noon preceding the scheduled meeting.

\* Please note that submission of the master deed and the engineer/architect's report is not required in order to have your application heard by the Condominium Review Board. They are however, required prior to the issuance of any Conversion Permit.

**SIGNATURE AND DATE ON THIS PAGE SHOWS THAT YOU HAVE READ AND FOLLOWED PROCEDURES ON PAGES 1 AND 2.**

\_\_\_\_\_  
Declarant/Applicant/Attorney/Date

\_\_\_\_\_  
Type/Print Name

Applicant Address\_\_\_\_\_

Daytime Telephone #\_\_\_\_\_

**FEE<sup>1</sup>:** \$ \_\_\_\_\_

**ADDRESS OF PROPERTY FOR WHICH PERMIT IS SOUGHT:**

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
Zip Code

Owner(s) Legal Name: \_\_\_\_\_

If LLC or Trust, Beneficiary Name(s): \_\_\_\_\_

Owner Address: \_\_\_\_\_

Owner Daytime Telephone: \_\_\_\_\_

Owner E-mail Address: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Attorney Address: \_\_\_\_\_

Attorney Telephone: \_\_\_\_\_

Attorney E-mail Address: \_\_\_\_\_

**CHECK OFF DOCUMENTS INCLUDED IN APPLICATION:**

- ☐ Property and Owner information (pages 1-7)
- ☐ Applicable Affidavits (pages 8-11)
- ☐ Copy of Tenant Documents including Tenant Notice (pages 12-18)
- ☐ Certificate of Good Standing
- ☐ Final Water Bill and Receipt/Paid Stamp
- ☐ Copy of the deed granting the property to be converted to the applicant
- ☐ Certified Check (\$600/unit)
- ☐ Engineer/Architect's Report
- ☐ Master Deed

Total number of units in the project: \_\_\_\_\_

\_\_\_\_\_  
<sup>1</sup> \$600 Per Unit Being Converted

Total number of residential units to be converted to condominium units: \_\_\_\_\_

Total number of commercial units in the project: \_\_\_\_\_

REASON RENTAL UNIT IS SOUGHT TO BE CONVERTED: (check all applicable reasons)

\_\_\_\_\_ Owner- Occupancy of the condominium unit

\_\_\_\_\_ Demolition

\_\_\_\_\_ Rehabilitate, repair or improve for sale or rental as a condominium unit

\_\_\_\_\_ To sell as a condominium unit

\_\_\_\_\_ To sell as a condominium unit to a family member within the fourth degree of kindred

\_\_\_\_\_ To sever ownership between co-owners of a multi-unit property

\_\_\_\_\_ Other \_\_\_\_\_  
(Please Specify)

DETAILS OF PROPERTY AND OWNERSHIP:

When did you purchase the property?

\_\_\_\_\_      \_\_\_\_\_  
(Month)                      (Year)

For the time you have owned the property, how have the units been used? (Please specify use of each unit being applied for)

Owner-Occupancy: \_\_\_\_\_

Rental: \_\_\_\_\_

Other: \_\_\_\_\_

Were any of the units vacant at the time you purchased the property? (If yes, please indicate unit)

YES \_\_\_\_\_

NO \_\_\_\_\_

CURRENT STATUS OF BUILDING:

\_\_\_\_\_ Vacant

\_\_\_\_\_ Partially Occupied

\_\_\_\_\_ Fully Occupied

If the building or any units within the building are currently vacant, please specify how and when each unit(s) became vacant.

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CURRENT RENT AMOUNT:

Unit Number (s)	Unit Size	Monthly Rent

Does Rent Include Utilities?      YES \_\_\_\_\_ NO \_\_\_\_\_

I, SWEAR, UNDER THE PAINS AND PENALTIES OF PERJURY, THAT ALL OF THE INFORMATION SUPPLIED HEREIN IS TRUE.

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Signature of Declarant/Applicant/Attorney

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Date

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Type/Print Name

**CITY OF SOMERVILLE  
CONDOMINIUM REVIEW BOARD  
CURRENT TENANT INFORMATION AFFIDAVIT A**

I, \_\_\_\_\_ on oath depose and state that the following is  
(Applicant/Declarant or Attorney)  
a true and complete list of all of the tenants currently residing at (address and unit #s), \_\_\_\_\_  
\_\_\_\_\_, Somerville, Massachusetts, to whom notice was sent  
regarding the application to be filed in accordance with the Condominium Conversion Ordinance of the  
City of Somerville:

COMPLETE FOR EACH RESIDENTIAL UNIT AND TENANT:

Tenant Name, "Vacant" or Owner-Occupied	Unit #	Low/Moderate Income, Disabled, or Elderly? <sup>2</sup>	Date Notice Given?

(Use Additional Sheets as Necessary)

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

Signature of: \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant/Attorney for Applicant

\_\_\_\_\_  
Type/Print Name

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved  
to me through satisfactory evidence of identification, which was [a current driver's license/state identification card] [a current  
U.S. Passport] [my personal knowledge] to be the person whose name is signed on the preceding or attached document in my  
presence, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public: \_\_\_\_\_

\_\_\_\_\_  
<sup>2</sup> Please refer to page 12 of this document for definitions of each of these categories



**CITY OF SOMERVILLE  
CONDOMINIUM REVIEW BOARD  
FORMER TENANT INFORMATION AFFIDAVIT B  
(Submit additional as necessary)**

I, \_\_\_\_\_, owner of \_\_\_\_\_

\_\_\_\_\_ (address and unit #s), attest that the below list includes all tenants to the best of my knowledge that have resided in the above property during the twelve months *prior* to my submission of this application for condominium conversion.

Tenant Name		
Unit Number		
Dates of Tenancy		
Reason for Vacating		
Current Contact Information	Phone:  Current Address:  Email:	Phone:  Current Address:  Email:

I also attest that I have supplemented this affidavit with any relevant documentation regarding any evictions, notices to quit or other documents relating to the tenancy of the above listed prior tenants.

Signed under the pains and penalties of perjury.

Signature of: \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant

\_\_\_\_\_  
Type/Print Name

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved to me through satisfactory evidence of identification, which was [a current driver's license/state identification card] [a current U.S. Passport] [my personal knowledge] to be the person whose name is signed on the preceding or attached document in my presence, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public: \_\_\_\_\_

**CITY OF SOMERVILLE  
CONDOMINIUM REVIEW BOARD  
ORDINANCE COMPLIANCE AFFIDAVIT C**

I, \_\_\_\_\_, on oath depose and state that:

1. I have complied with the notice requirements of Section 7-64 (1)-(9) of the Condominium Conversion Ordinance 2019-06; namely
  - a. At least one year before the master deed is filed, notice must be given to the Condominium Review Board and each tenant in the housing accommodation of the intention to file an application to convert the housing accommodation to condominium units.
  - b. At least one year's notice must be given to the tenant of the unit where it is the owner's intention to recover possession of the premises (at least a five year notice in the case of a rental unit occupied in whole or in part by a disabled, elderly, or low or moderate income tenant).
  - c. All notices to tenants must be personally served by a process server or sent by certified mail, return receipt requested.
  - d. The terms of the tenancy may not be altered during any notice period required by the ordinance beyond what is permitted by the Ordinance.
2. To the best of my knowledge, neither the declarant nor their predecessors in title have violated Section 7-64(1)-(9) of the ordinance.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

Signature of: \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant/Attorney for Applicant

\_\_\_\_\_  
Type/Print Name

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved to me through satisfactory evidence of identification, which was [a current driver's license/state identification card] [a current U.S. Passport] [my personal knowledge] to be the person whose name is signed on the preceding or attached document in my presence, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public: \_\_\_\_\_

**CITY OF SOMERVILLE  
CONDOMINIUM REVIEW BOARD  
NOTICE TO TENANT AFFIDAVIT D  
(Submit for each individual Tenant)**

The undersigned Owner hereby declares under pains and penalties of perjury that I gave a copy of the attached Form of Notice to Tenant and Tenant Information Request Form (pages 12-18) to the Tenant

named \_\_\_\_\_ residing

in Unit # \_\_\_\_\_ at \_\_\_\_\_

Somerville, MA \_\_\_\_\_ (Zip) on \_\_\_\_\_, 20\_\_\_\_, by:

\_\_\_\_\_ Certified or registered mail, return receipt requested (attach return receipt)

\_\_\_\_\_ Service by constable or other process server (attach return of service)

\_\_\_\_\_ Express Mail or FedEx with signature requested (attach signed receipt)

\_\_\_\_\_ In hand, with a witness, namely \_\_\_\_\_  
(attach written confirmation of witness or written acknowledgement of receipt by  
Tenant)

SIGNED under oath this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

LEGAL NAME OF OWNER: \_\_\_\_\_

Signature: \_\_\_\_\_

Type or Print Name: \_\_\_\_\_

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved to me through satisfactory evidence of identification, which was [a current driver's license/state identification card] [a current U.S. Passport] [my personal knowledge] to be the person whose name is signed on the preceding or attached document in my presence, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public: \_\_\_\_\_

## IMPORTANT INFORMATION FOR TENANTS

This packet is to be filled out by all tenants over the age of 18. For assistance filling out the documents in this packet (pages 13-18), additional copies, or if you have any questions about any of the information found within this packet, feel free to contact Hannah Carrillo by phone at **617-625-6600, x. 2575** or by e-mail at [hcarrillo@somervillema.gov](mailto:hcarrillo@somervillema.gov). You can also contact the Office of Housing Stability at **617-625-6600, x.2581**.

You can also come to the **City Hall Annex -50 Evergreen Ave, Somerville, MA 02145**-to speak with Hannah Carrillo on the second floor or the Office of Housing Stability on the first floor about any questions or concerns.

Please complete this packet (pages 13-18) and either return it to your property owner or send it/drop it off to the City Hall Annex (50 Evergreen Ave), attention to Hannah Carrillo.

Below are the definitions of disabled, elderly and low-moderate income:

**Disabled tenant**- a tenant who has a physical or mental impairment as of the date the notice was provided or should have been provided, which (1) substantially limits such person's ability to care for themselves, perform manual tasks, walk, see, hear, speak, breathe, learn or work; or (2) significantly limits the housing appropriate for such person or significantly limits such person's ability to seek new housing; or (3) meet the disability related provisions contained within the definition of "handicapped persons of low income" in G.L. c. 121B § 1.

**Elderly tenant**- A tenant who is **65** years or over as of the date the notice was or should have been given.

**Low-/Moderate Income tenant**: If the combined income of your household for the past 12 months was below the income limit value that corresponds to your household size in the table below, your household is low-/moderate-income:

HUD Boston PMSA Income Limits – FY19								
Household Size	1	2	3	4	5	6	7	8
Income Limit	\$62,450	\$71,400	\$80,300	\$89,200	\$96,350	\$103,500	\$110,650	\$117,750

**CONDOMINIUM REVIEW BOARD  
TENANT NOTIFICATION FORM  
(Submit for each individual tenant)**

Date: \_\_\_\_\_

Tenant Name: \_\_\_\_\_

Address: \_\_\_\_\_

This letter is to notify you that your landlord, \_\_\_\_\_, intends to convert your unit and possibly other units in your building to either condominium or cooperative units. You have rights under the Somerville Condominium Conversion Ordinance, including the right to this Notice. Your rights are explained below.

- **Right to Proper Notice**

This Notice must be given to you by one of the following methods: delivered in person in the presence of a witness or with the tenant's acknowledgement of receipt, sent by certified or registered mail, return receipt requested, or served by a deputy sheriff or constable.

- **Right to Continued Occupancy (Notice Period)**

You have the right to stay as a tenant in your rental unit for one year from the date you received this Notice. If you are elderly, disabled or low-/moderate-income<sup>3</sup>, you have the right to remain as a tenant in your rental unit for five years from the date you received this Notice. You are entitled to this notice period whether your rental agreement is a lease or a month-to-month tenancy at-will. If you are elderly, disabled or low-/moderate-income, please inform your property owner. If your owner contests that you are elderly, disabled or low-/moderate income you may need to provide them with verification of your status.

- **Right to Extend Terms of Rental Agreement**

If the one-year or five-year Notice period referred to above is longer than the term of your tenancy in your rental agreement, then the Landlord **must** extend the term of your tenancy to coincide with the expiration of the Notice period.

- **Right to Purchase**

You have the right to purchase your rental unit *before* it goes on the market in 'as is' condition at a fair price. If you are unable to purchase your unit or do not wish to purchase your unit, the City or a designee may purchase the unit for the purposes of maintaining the unit as affordable housing. Please contact

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<sup>3</sup> Definitions of each of these categories are on page 12

## TO BE PROVIDED TO AND COMPLETED BY TENANTS

Hannah Carrillo at 617-625-6600 x. 2575 with any questions regarding the City or designee right to purchase.

- **Right to Terminate Tenancy**

You have the right to terminate your rental agreement without penalty so long as you give written notice to the Owner at least thirty (30) days before you leave. Your property owner cannot terminate your tenancy during the notice period except in the event of non-payment of rent or other substantial violation of your rental agreement.

- **Renovation During the Notice Period**

Tenants are entitled to freedom from unreasonable disruption as a result of rehabilitation, repairs or improvements. The owner may only make repairs in your unit if such repairs are **required** by the State Sanitary or Building Codes. Other renovations or improvements to your unit may only be undertaken with your **express written consent**. Owners may renovate common areas or vacant units, but they *must* comply with Condominium Conversion Ordinance rules regarding how and when such renovations can be performed. Please contact Hannah Carrillo at 617-625-6600 x. 2575 for more information or with any questions or concerns.

- **Right to Housing Search Assistance**

A tenant who is elderly, disabled or low-/moderate-income is entitled to help from the property owner in finding a comparable apartment in Somerville unless they are exempt from this housing search requirement. An owner is exempt from this housing search requirement if (1) they have been renting their unit to you at or below the Somerville Housing Authority Section 8 payment standards; **and** (2) they have limited rent increases to less than 5% annually for the past three years. If your owner is required to provide you with housing search assistance and fails to do so, you will be entitled to an additional two years of protections.

- **Right to Relocation Benefits**

If you do not purchase your rental unit or another rental unit in the building, and you choose to vacate the unit within the Notice period, you have the right to a relocation payment in the amount of \$6,000.00/unit if you are NOT elderly, disabled, or low-/moderate-income, or of \$10,000.00/unit if you ARE elderly, disabled or low- /moderate-income. Relocation payments must be paid within ten days after you vacate your unit. However, if you need these funds in advance in order to relocate, the owner must make payments directly to your moving company, realtor, storage facility or new landlord before you move upon your request and once you provide them with verification of your new apartment.

**Please note:** If the owner receives **written** notice from a tenant indicating that they are vacating the unit **before** the owner forms the intent to convert to condominium units, the owner is not required to pay relocation expenses.

- **Right to Hearing Notice**

Any tenant who has received this notice is also entitled to receive notice of **any and all** hearings that are scheduled by the Condominium Review Board where your unit is on the agenda. This notice will include the date, time and location of the hearing. Tenants are not required to attend this hearing, but are welcome to and may provide the Review Board with any information regarding the application that you feel is relevant. **If you plan to attend this hearing and need an interpreter please contact Hannah Carrillo at 617-625-6600 Ext. 2575 as soon as possible.**

- **Right to Request a Hearing**

If at any point any party (tenant or owner) feels the other is not complying with the requirements of the Condominium Conversion Ordinance, they may request the Board schedule a compliance hearing to review the matter. Whichever party requests the hearing must attend, and the other party may attend. Both parties will be notified of such hearings. Once a hearing is scheduled, you will be notified of the location, time and date of the hearing by the Condominium Review Board. Please contact Hannah Carrillo at 617-625-6600 x. 2575 with any questions on scheduling a compliance hearing. **If you need an interpreter please contact Hannah Carrillo at 617-625-6600 Ext. 2575 as soon as possible.**

The Condominium Conversion Ordinance can be found on the City of Somerville website at: <https://www.somervillema.gov/departments/condominium-review-board>. A copy may also be provided upon request.

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If you have any questions or concerns, please call Hannah Carrillo at 617-625-6600 x. 2575 or email at [hcarrillo@somervillema.gov](mailto:hcarrillo@somervillema.gov).

Tenant Name: \_\_\_\_\_

Tenant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF SOMERVILLE  
SOMERVILLE CONDOMINIUM REVIEW BOARD  
TENANT INFORMATION REQUEST FORM  
(Submit for each individual tenant or household)**

**Address and Unit #:**

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Tenant Name(s): 

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Contact Information (phone number and email address):

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1. Are you or another family member of your household age sixty-five (65) or older?

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2. Are you or another family member of your household disabled (as defined on page 12)?

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3. Approximately when did you move into this building? (Month and Year)

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4. When and how did you receive notice of the application for conversion to condominiums?

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5. Before receiving notice of the application for conversion to condominium units, had you already given your property owner notice that you were going to move? 

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 (yes or no)

If yes, when? 

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TO BE PROVIDED TO AND COMPLETED BY TENANTS

6. If your building was converted to condominium units, would you consider purchasing your unit?

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7. Has the present owner of your building offered you compensation in exchange for your agreement to vacate your unit? If so, what compensation was offered and when were you asked to leave your unit?

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## TO BE PROVIDED TO AND COMPLETED BY TENANTS

8. Special provisions (such as notice requirements) apply to tenants who qualify as low or moderate income tenants (view table below), are elderly (65+) or disabled (defined on page 12). Was the combined income of your household for the past 12 months below the income limit that corresponds to your household size in the table below?

HUD Boston PMSA Income Limits – FY19								
Household Size	1	2	3	4	5	6	7	8
Income Limit	\$62,450	\$71,400	\$80,300	\$89,200	\$96,350	\$103,500	\$110,650	\$117,750

9. Are there any reasons you believe a condominium conversion should not be allowed? If so, please state those reasons in detail below (Use additional pages as necessary):

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

Signed under the pains and penalties of perjury.

Tenant Signature: \_\_\_\_\_ Date: \_\_\_\_\_