

Your Rights in a Rooming House

Tenants' Rights in Massachusetts

What Is a Rooming House?

A rooming house is a business that rents out 4 individual rooms or more in the same building.

They are sometimes called boarding houses, lodging houses, or single room occupancy units (SROs).

Individual renters usually have their own separate room and their own agreement with the landlord. For example, you may stay for just a few days, but another renter may stay for 3 months.

Rooming houses with 4 or more renters at the same time must be licensed.

Some cities and towns have local protections for renters in rooming houses.

Protect Yourself Know Your Rights

People who live in rooming houses have legal rights.

Like all other tenants, you have the right to a safe, decent place to live with heat, hot water, and electricity.

If you have lived in a rooming house for one day, one week, or one month, an owner cannot lock you out of your room without permission from a judge.

Rooming House Landlords Must

Provide one bathroom with a toilet, sink and shower or bathtub for every 8 rooming house renters.

Clean the bathroom every 24 hours if you share a bathroom with other renters.

Provide automatic smoke or heat detectors.

Provide sprinklers, if there are 6 renters or more.

Provide you a room that is at least 80 square feet or 60 square feet per person if you share the room with another person.

Correct unhealthy conditions, like mice, rats, bedbugs, or cockroaches.

Make needed repairs without charge, unless you caused the damage.

Get your permission to enter your room to make repairs – unless it is an emergency.

Give you privacy. The landlord is only allowed to enter your room if you give them permission, if it is an emergency, or if they have a court order.

Not lock you out of your room.

Get a court order to evict you. Important! Even if you get evicted the landlord is not allowed to keep your belongings.

Cooking Area Rules

The landlord does **not** have to provide a common kitchen area for renters. But if they do, the kitchen must have a sink, stove, oven, storage space, and refrigerator.

Where there are between 6-19 renters, the landlord **may** provide a kitchenette in your room. But your landlord can only provide a kitchenette if your room is 150 square feet or larger. Individual kitchenettes must have:

1. Hot plate.
2. Refrigerator.
3. Sink with hot and cold running water.

If your room connects to another renter's room, the kitchenette must also have a food storage area.

Landlords may provide you with a microwave in your room or common areas.

Repairs

Your room and the common areas must be safe and sanitary. If there is a problem, ask your landlord to fix it. A landlord cannot evict you for asking to make a repair. If they try to do that, it is retaliation and illegal.

If you ask the landlord to fix a problem and they refuse, put your request in writing. You can also report the problem to the local Board of Health. They should come inspect the problem and give the landlord a report that orders them to make the repair.

If the landlord still does not fix the problem, you have other options that are more complicated and depend on the length of time you have lived there.

Evictions

If you have lived at the rooming house for **30 days or less**, the landlord may file an eviction case against you without any notice.

If you have lived there more than **30 days**, the landlord must give you a **7-day** eviction notice if they want to evict you.

If you have lived there **3 months** or more, the type of eviction notice depends on the reason for the eviction:

- **7-day Notice** for damaging property or causing a nuisance.
- **14-day Notice** if you owe rent.
- **30-day Notice** for any other or no reason.

If a judge makes an order to evict you:

- You may ask the court for a *reasonable accommodation to stay if you have a disability that relates to the eviction.*
- You may ask the court for more time so you can find another place to live.
- You may appeal the court's decision.

Department of Mental Health Housing

If you are in a Department of Mental Health (DMH) program, you have extra legal protections against eviction. You have the right to a hearing. It may be in court or at the DMH. DMH must make sure you have another place to live before you are evicted.



[MassLegalHelp.org/Rooming-Houses](https://www.masslegalhelp.org/Rooming-Houses)

Legal Tactics: Tenants Rights in Massachusetts May 2017