

Utility Rights and Programs

Tenants' Rights in Massachusetts

Who Pays the Utilities?

The landlord **must** pay:

- **Hot Water and Heat:** Unless the lease says you pay.
- **Gas and Electricity:** Unless you signed an agreement that says you pay and there is a separate meter for your apartment.
- **Water:** Unless you signed an agreement that says you pay and there is a separate meter. Also the landlord must have a certificate that shows that there are low-flow fixtures in your apartment.

When You Move In

If you have to pay for gas or electricity, contact the gas or electric company. Most

Protect Yourself Help Paying the Bill

Private electric and gas companies offer discounts if you get government assistance like SSI, Food Stamps, or Head Start.

If you need help paying heating bills, find out if you qualify for the Fuel Assistance Program. Call 800-632-8175.

Utility companies also have special programs to help you pay past due bills. These are **Arrearage Management Programs**. If you qualify, every time you pay a bill on time, they give you a credit on your past due bill.

utility companies allow you to ask for new service over the telephone. Some companies may require you to fill out a form.

You have the right to gas and electric service, but certain rules apply if you owe a utility bill at a previous address.

If You Owe a Utility Bill

Gas and Electricity

If you owe a gas or electric bill from a previous apartment, the company may ask you to pay the bill off before they turn on new service. They may also agree to a reasonable payment plan. You can contact the company directly and negotiate your own payment plan. **Do not agree to pay an amount you cannot afford.**

If a utility company refuses to turn on the new service, they may ask you to sign a *Cromwell Waiver*. This form gives the company permission to add your unpaid bill to your new bill and set up a payment plan. If you do not pay your new bill, they can turn off your service. Do not sign a *Cromwell Waiver* if the bill from the previous address is wrong or it is not yours.

If a company refuses to set up a payment plan or sign a *Cromwell Waiver*, call the Department of Public Utilities Hotline at 877-886-5066 and ask them to help you.



Cell Telephone

If you owe money to a cell phone company, you can set up a new account by negotiating a plan to pay off what you owe. If a company will not agree to a payment plan, call the Department of Telecommunications and Cable consumer line at 800-392-6066.

Protection Against Shutoffs

Resolving a Dispute with the Company:

If a utility company does not fix a problem to your satisfaction, ask the company to protect your service until they resolve the dispute. If they have not already shut off your service, they cannot shut it off while they are resolving the dispute.

Landlord Fails to Pay: If your landlord is responsible for utilities and fails to pay, a company must give you at least 30 days notice before they can shut off your service.

You Fail to Pay at Your Current Address:

A utility company can only shut off your service if you fail to pay your bill at your current address. They cannot shut off your services for charges from a prior address or for money a prior tenant owes.

Special Protections: If your household has a low-income, a utility company must not shut off your services if anyone:

- Is under 12 months or older than 65,
- Has a serious or chronic illness like diabetes, ADHD, asthma, or
- You cannot afford to pay for heat for the winter months – November to March and sometimes to April.

Ask the company for a *hardship application*.

**If the utility company does not help you call the Department of Public Utilities
1-877-886-5066**

Phone Service Help

If you have a low-income, special services and programs can help you pay your phone bill and keep basic phone service.

- **You can get 90 days to pay your phone bill** if someone in your house has a serious illness. Also, if someone has a personal emergency and needs a phone, you can get up to 30 extra days.
- **You may be able to negotiate a payment plan** if you ask the phone company. If they will not accept a reasonable payment plan, call the Dept. of Telecommunications and Cable at 800-392-6066. Tell them you need an advocate to negotiate a plan.
- **You can get your deposit back** if you pay all your phone bills on time for 6 months. After 6 months, ask the phone company for your deposit, plus interest.
- **You can get a discount each month** if you get government assistance like SSI, Food Stamps, and Head Start. Apply to your phone company.
- The **Lifeline program** provides a landline, cell phone or internet service at a reduced cost. Call your phone company to apply. If do not have a phone or your phone company does not offer Lifeline call the Dept. of Telecommunications and Cable consumer line at 800-392-6066.

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