

## Understanding Utility Rights

### Tenants' Rights in Massachusetts

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#### Who pays for utilities?

##### Private Housing

Your landlord must pay for the following utilities unless an exception applies.

- **Water:** Landlord usually pays.
- **Fuel for hot water and heat:** Landlord pays unless you signed a written document saying that the tenant must pay.
- **Electricity and gas:** Landlord must pay unless there is a separate meter for your electricity and gas use and a written document says that the tenant must pay.

##### Public Housing

Check your lease to see if you have to pay utilities. In state public housing, rent is based on your net income and whether you pay utilities. If you live in federal public housing and pay for utilities, a Utility Allowance gets subtracted from your monthly rent. Each housing authority sets its own Utility Allowance.

##### Section 8 or MRVP Voucher

Check your lease. The **Massachusetts Rental Voucher Program (MRVP)** and the **Federal Section 8 voucher programs** may give you a "Utility Allowance." A Utility Allowance is a certain amount of money provided monthly. Your housing authority decides on the amount of your Utility Allowance based on the average cost of utilities where you live for similar household sizes. You only receive this Allowance if you're responsible for paying utilities.

##### Foreclosure

See [Utilities After a Foreclosure](#).

#### Does paying utilities affect rent?

**Private Housing:** Your lease should say your rental amount. It should also include whether you are responsible for utilities. If there's no written lease, the landlord must usually pay utilities (unless there is a separate written document requiring you to pay).

**Public Housing:** Paying for some or all of your utilities will affect your rent. Rules for state and federal public housing differ. [See Utilities and Rent in Public Housing](#).

#### Protect Yourself Help Paying Utility Bills

**If you can't pay your current bill:** You may get a discounted rate. Gas and electric companies are required to offer discounts if your income is low and you receive government assistance like HEAP (formerly LIHEAP), SSI, SNAP food benefits, or Head Start. If you need help to pay your heating bill, find out if you qualify for the [Fuel Assistance Program](#). Call 800-632-8175.

**If you are behind on payments:** Ask your utility company about payment plans, which are available to all customers. If you qualify for Arrearage Management Programs, every time you pay a bill on time, you get a credit on your past due bill.

**If you owe a bill from a prior address:** A utility company might not turn on your new service until you pay off your bill from a prior address. Contact the company to negotiate a payment plan. Do **not** agree to pay an amount you cannot afford.

## How do I start utility service when I move in?

If you signed an agreement to pay for gas or electricity, contact the gas or electric company when you move in. They may let you ask to begin a new service over the phone. Some companies ask you to fill out a form and provide proof of identity. But you do not need to be a citizen or have legal status in the U.S. to get utility service.

## When can a utility company shut off service?

If you haven't paid utility bills at your current address, the utility company can shut off your service. But they must follow certain rules.

- A utility company **cannot** shut off your services for charges from a prior address or for money a prior tenant owes.
- If all residents of your home are age 65 and over, your electricity or gas cannot be shut off without permission from the Department of Public Utilities.
- If your household is low-income or you are experiencing financial hardship, a utility company cannot shut off your services if:
  - You have an infant under age 1.
  - All adults in your home are 65 or older **and** a minor child lives in the home; or
  - Someone in the household has a serious or chronic illness, whether physical or mental/emotional. The illness must be certified by a letter from a medical professional.
- **Special Winter Protections:** If you cannot afford heat from November 15 to March 15, an electric or gas company cannot shut off

your service. Sometimes this protection lasts until April. To get this protection, ask the company for a financial hardship application.

- **If your landlord is responsible for utilities and doesn't pay**, the utility company must give you at least 30 days' notice before they shut off your service.

## What if my heat goes off?

A landlord must provide heat from September 15 through May 31. If the heat goes off, call your landlord right away. If you cannot reach the landlord or they do not fix the problem, call the local Board of Health. Tell them there is a problem with the heat. The law requires them to do their best to inspect your apartment within 24 hours. For more, see [Legal Tactics, Chapter 8: Getting Repairs Made](#). If your landlord turns off your heat, you can also ask a court to order the landlord to turn the heat back on.

## What if I have a dispute with my utility company?

If your utility company doesn't fix a problem, ask them to protect your service until the issue is resolved. If they haven't shut off your service already, they **cannot** shut it off while they are resolving the dispute.

If the utility company does not help you, contact the [Department of Public Utilities](#) at 1-877-886-5066, or fill out their online complaint form at [mass.gov/how-to/file-a-complaint-involving-a-gas-electric-or-water-company](https://mass.gov/how-to/file-a-complaint-involving-a-gas-electric-or-water-company), or email them at [DPUCustomer.Complaints@mass.gov](mailto:DPUCustomer.Complaints@mass.gov).



For more, scan the QR Code for: [Legal Tactics, Chapter 6: Utilities](#).  
[MassLegalHelp.org/LT-Utilities](https://MassLegalHelp.org/LT-Utilities)