

## Before You Move In

### Tenants' Rights in Massachusetts

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#### Check It Out

Before you rent a place, go look at it. Walk around the entire apartment and the building. An apartment must be in good condition before a landlord rents it.

- Use our **Moving In Checklist (Form 1)** for tips about what to check out and questions to ask as you walk around.
- Use the **Housing Code Checklist (Booklet 2)** to spot problems. Also ask current tenants about the landlord. Does the landlord make repairs? Have they had problems?

#### Protect Yourself

Only pay the landlord cash if they can give you a receipt right away.

Get a receipt for any money you pay the landlord. If the landlord does not give you one, use our **Rent Receipt (Form 2)**.

If you pay a security deposit, the landlord must give you a receipt within 30 days. If they do not, use **Security Deposit and Last Month's Receipt (Form 4)**.

Get all agreements in writing.

Read your lease carefully before signing it. See **Handout 1B: Leases**.

#### Rent

Landlords of private, unsubsidized housing can charge as much rent as they want.

#### Security Deposit and Other Charges

When you move in, landlords can **only** charge you for:

- First and last month's rent,
- A new lock and key, and
- A security deposit that is no more than 1 month's rent.

Landlords must **not** charge other fees, like pet, cleaning, or application fees.

#### Utilities

Your landlord can **only** charge you for gas, electricity, hot water, and heat if:

- Your apartment has **separate meters** for gas and electricity, and
- You agree **in writing** to pay for utilities.

Usually the landlord must pay for water. They can only bill you for water if:

- There is a separate meter and there are low-flow toilets and showers,
- You have agreed to pay for water **in writing**, and

- The landlord has filed the right papers with the city or town.

## Keep Good Records

- Keep copies of all written communications (letters, texts, and emails) between you and your landlord.
- Keep receipts for rental payments, the security deposit, and other payments.
- Get all agreements in writing. If the agreement is not written and you disagree later, it will be your word against your landlord's.

## Repairs

Before or just after you move in, make a list of anything broken or damaged. Use the **Housing Code Checklist (Booklet 2)**. Give your landlord the list. Keep a copy for yourself.

If the landlord agrees to make repairs, get it in writing. If they do not give you a written promise, write to them right away. Keep a copy of your communication. You could say:

Thank you for agreeing to fix problems  
in apartment at address by date.

## If a Landlord Refuses to Rent to You

Landlords use tenant screening agencies to find out about tenants. These agencies sell information about tenants including court cases, credit checks, employment verification, former rental addresses, and criminal record checks. Landlords also find information online. Some landlords refuse to rent to any tenant who has been to court. There is a new law that allows tenants in certain types of evictions with

certain outcomes to seal their eviction record. See **Chapter 2: Tenant Screening**.

**If a landlord refuses to rent to you, ask why.** You may be able to address their concern. See **Chapter 2: Tenant Screening**.

If a landlord refuses to rent to you, and you think it is because of your race, religion, or gender, or they are discriminating against you for another reason, see **Chapter 7: Discrimination**.



For more, scan the QR code for **Legal Tactics, Chapter 1: Before You Move In.**  
[MassLegalHelp.org/LT-move-in](https://MassLegalHelp.org/LT-move-in)