

# Health Department

## **Compliance with the Massachusetts Housing Code: Rights and Responsibilities of Tenants and Residential Owners**

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# Plumbing



## **Owner: 105 CMR 410.351**

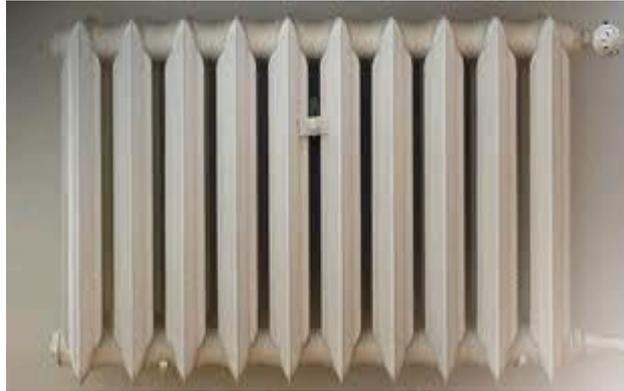
- The owner is obligated to install and maintain (e.g. )
  - water
  - sinks
  - tubs
  - showers
  - bathrooms

## **Tenant: 105 CMR 410.352**

- The tenant is obligated to care for and keep clean (e.g.)
  - sinks
  - tubs
  - showers
  - bathrooms

Healthy Homes Principle #1: Keep your home dry

# Heating

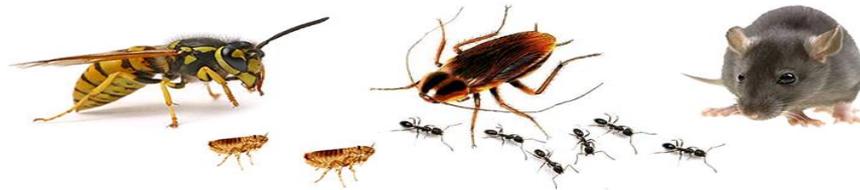


## **Owner: 105 CMR 410.351**

- The owner is obligated to install and maintain heating and ventilating equipment

Healthy Homes Principle #7: Keep your home in good condition

# Pest Infestations



## **Owner: 105 CMR 410.550**

- The owner of a building containing two or more rental units is required to:
  - exterminate, and keep the units free of, pests
  - prevent pests from entering the building

## **Tenant: 105 CMR 410.550**

- The tenant in a building containing one rental unit is required to exterminate, and maintain the rental units free of, pests
  - The owner is required to prevent pests from entering the building

Healthy Homes Principle #3: Keep your home pest-free

# Cleanliness of Unit



## **Owner : 105 CMR 410.500**

- The owner is obligated to maintain the structural elements so that the unit:
  - can be kept clean
  - does not contain hazards that can cause accidents
  - cannot harbor pest

## **Tenant: 105 CMR 410.505**

- The tenant is obligated to exercise reasonable care in the use of (e.g.)
  - doors
  - windows
  - roofs
  - other structural elements of building

Healthy Homes Principle #2: Keep your home clean

# Cleanliness of Unit



## **Owner: 105 CMR 410.602**

- The owner is obligated to maintain in sanitary condition parts of the building that are:
  - used in common and
  - are not occupied or controlled exclusively by a tenant

## **Tenant: 105 CMR 410.602**

- The tenant is obligated to maintain in sanitary condition:
  - parts of the building (including mezzanines) that he/she controls exclusively
  - stairs connected to the rental unit

Healthy Homes Principle #2: Keep your home clean

# Trash and Trash Storage



## **Owner and Tenant: 105 CMR 410.602**

- The owner of a building with 3 or more units is obligated to:
  - provide a sufficient number of trash receptacles to the tenants,
  - provide tenants with easy access to the receptacles
  - prevent odors from entering the building and ensure that the receptacles are rodent-proof and water-proof
  
- The tenant is obligated to:
  - place garbage in receptacles required by code or
  - In location convenient for the owner

Healthy Homes Principle #2: Keep your home clean and pest-free

# Electricity



## **Owner: 105 CMR 410.351**

- The owner is obligated install and maintain:
  - electrical fixtures
  - outlets
  - wiring
  - sub-metering devices

## **Tenant: 105 CMR 410.352**

- The tenant is obligated to use with reasonable care and keep clean (e.g.)
  - electrical fixtures
  - outlets

Healthy Homes Principle #4: Keep your home safe

# External Structure



## **Owner: 105 CMR 410.500**

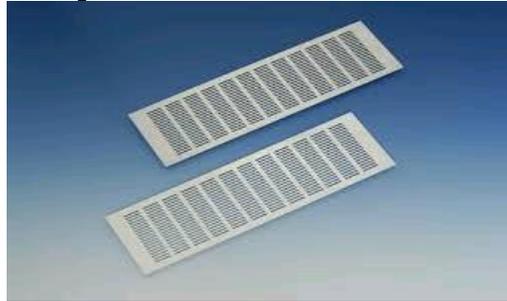
- The owner is obligated to protect structural building elements building so that they are:
  - weathertight
  - in good condition

## **Tenant: 105 CMR 410.505**

- The tenant is obligated to take care of (e.g. )
  - foundations
  - windows
  - ceilings
  - staircases
  - fireplaces

Healthy Homes Principle #4: Keep your home safe

# Mold/Ventilation



## **Owner: 105 CMR 410.500**

- The owner is obligated to maintain the structural building elements free of chronic dampness
  - Chronic Dampness = regular or periodic appearance of
    - moisture
    - water
    - mold
    - fungi

## **Tenant: 105 CMR 410.505**

- The tenant is obligated to exercise reasonable care in the use of structural building elements (E. g, ventilate the bathroom to avoid the formation of mold)

Healthy Homes Principles # 1, # 6: Keep your home dry and ventilated

# Leaks



## **Owner: 105 CMR 410.351**

- The owner is obligated to maintain
  - water pipes and drains
  - toilets
  - sinks
  - showers
  - tubs

## **Tenant: 105 CMR 410.352**

- The tenant is obligated to exercise reasonable care in the use of
  - toilets
  - sinks
  - showers
  - tubs

Healthy Homes Principle # 1: Keep your home dry

# Smoke Detectors/Carbon Monoxide Alarms



**Owner: 105 CMR 410.482**

- The owner is obligated to install and maintain smoke detectors and carbon monoxide alarms as required by Massachusetts General Laws and regulations of the State Board of Fire Prevention
- The board of health may notify the local fire chief of violations but may not impose different or additional requirements beyond those required by local fire department

Healthy Homes Principle #4: Keep your home safe

# Unsafe Porches



## **Owner: 105 CMR 410.500**

- The owner is obligated to maintain structural elements of the building, including porches, so that they do not constitute accident hazards

## **Tenant: 105 CMR 410.505**

- The tenant is obligated to exercise reasonable care in the use of the structural elements of the building, including porches

Healthy Homes Principle #4: Keep your home safe

# Lead Paint



## **Owner: 105 CMR 410.460**

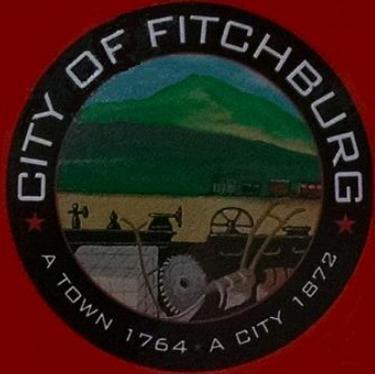
- The owner of a building that contains dangerous levels of lead paint in parts of the building to which tenants have access is obligated to obtain:
  - a letter of full compliance and
  - a letter of interim control

\*\*Child under 6

## **Tenant: 105 CMR 410.460**

- The tenant is obligated to not damage remediated surfaces

Healthy Homes Principle #4: Keep your home in good condition



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