



NEIGHBORHOOD & LONG TERM PLANNING, PUBLIC FACILITIES, ARTS & CELEBRATION COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Tuesday, February 25, 2025

3:00 PM

Remote Meeting

The Neighborhood and Long Term Planning, Public Facilities, Arts and Celebrations Committee will hold a public meeting to discuss tenant-paid broker fees and other housing fees and the options that the city and state government have to regulate them.

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jivan Sobrinho-Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Catherine Zusy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council’s Neighborhood & Long-Term Planning, Public Facilities, Arts & Celebration Committee was held on Tuesday, February 25, 2025. The meeting was Called to Order at 3:00 p.m. by the Co-Chair, Councillor Sobrinho-Wheeler. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was remote participation via Zoom.

At the request of the Co-Chair, Clerk of Committees Erwin called the roll.

- Councillor Azeem – Absent
- Councillor Nolan – Present
- Councillor Siddiqui – Present
- Councillor Sobrinho-Wheeler – Present
- Councillor Zusy – Present

Present – 4, Absent -1. Quorum established.

Co-Chair Sobrinho-Wheeler offered opening remarks and noted that the Call of the meeting was to hold a public hearing to discuss tenant-paid broker fees and other housing fees and the options that the city and state government have to regulate them. Present at the meeting were Maura Pensak, Housing Liaison, Phoebe West, Project Coordinator, Maria Melo, Case Manager, Melissa Peters, Interim Assistant City Manager for the Community Development Department (CDD), Chris Cotter, Housing Director, and Megan Bayer, City Solicitor. Present from the Cambridge/Somerville Legal Services were Susan Hegal and Courtney Libon. Vice Mayor McGovern was also present.

Co-Chair Sobrinho-Wheeler recognized Maura Pensak, who along with her team, gave a presentation titled “Tenant Paid Fees”. The presentation was provided in advance of the meeting and included in the Agenda Packet. The presentation included information on broker’s fee, tenant paid fees (junk fees), free regulation models, and City jurisdiction.

Co-Chair Sobrinho-Wheeler recognized Councillor Nolan who asked City staff if they have an idea of how likely the recent bills filed with the State Legislature will pass and asked the City Solicitor if the Legislature can grant special permission through a Home Rule Petition related to private parties. Susan Hegal responded and shared that they believe the broker fees will pass and that there is a lot of support for the bill. Megan Bayer noted that Boston did submit a Home Rule Petition and Somerville is also considering one related to private parties, but cannot say for certain if something like that would pass. Maura Pensak added that Boston and

Somerville have both submitted Home Rule Petitions and noted the importance of supporting the general legislation.

Co-Chair Sobrinho-Wheeler recognized Co-Chair Zusy who asked if the State passes this legislation within the next year, would the City still need to submit a Home Rule Petition. Megan Bayer explained that if the State Legislature were to act before Cambridge submitted a Petition, then there would be no reason to submit one unless the City is asking for something different. Councillor Zusy asked if there are a lot of people who are using broker's and if junk fees are just from larger buildings, or if smaller property owners also charge those fees. Maura Pensak responded by sharing there are people who engage with a Broker in the beginning of the process to find a unit, but it seems more likely that people are responding to listings on their own and then reaching out to a broker after a unit is found. Maura Pensak added that larger properties are the ones mostly charging the junk fees. Councillor Zusy shared concerns about people being discriminated against if they do not use a broker and use a realtor instead. Maura Pensak provided examples of experiences and challenges that people may have when using a realtor. Maura Pensak added that there are fair housing protections both federally and in the Commonwealth in terms of protecting people from discrimination. Councillor Zusy asked if landlords must pay any fees. Maura Pensak shared that landlords may choose to pay the fee or split the fee with the tenant.

Co-Chair Sobrinho-Wheeler recognized Councillor Siddiqui who thanked the team for the presentation. Councillor Siddiqui shared that the City Council could issue Resolutions in support of the Bill. Councillor Siddiqui added that if it is unclear of the timeline for the Home Rule Petition on Broker Fees, the City should continue to file something with the State Legislature.

Co-Chair Sobrinho-Wheeler shared his experiences with using a broker and asked if broker fees are also being charged in smaller buildings. Maura Pensak shared that different owners and management companies are applying broker fees, including smaller property owners. Councillor Sobrinho-Wheeler asked if there was any data on which fees are the most common or have the biggest impact on residents. Maura Pensak shared that they do not have specific data, but based on what she has seen online transaction fees, late fees, and attorney fees seem to be the most common.

Co-Chair Zusy who asked what a landlord can do if a tenant is not paying their rent in regard to late fees. Maura Pensak explained that the City is not suggesting that landlords do not charge late fees, it is the recurring late fees on top of the late fee that is being focused on.

Co-Chair Sobrinho-Wheeler recognized Councillor Nolan who asked what the next steps would be to move this topic forward. Co-Chair Sobrinho-Wheeler suggested that a motion be made at the next full City Council meeting to move this forward, which City Solicitor Bayer agreed and offered suggestions for the motion makers. Co-Chair Sobrinho-Wheeler shared that he agreed with the comments made by Councillor Siddiqui on submitting Resolutions in addition to submitting a Home Rule Petition.

Co-Chair Sobrinho-Wheeler recognized Co-Chair Zusy who shared that it would have been beneficial to have landlords and brokers present at the meeting to understand their perspective and suggested they are invited to give Public Comment during the City Council meeting.

Co-Chair Sobrinho-Wheeler recognized Councillor Nolan who shared her experiences as a landlord of a small property and broker fees.

Co-Chair Sobrinho-Wheeler recognized Councillor Nolan who made a motion to adjourn the meeting. Clerk of Committees Erwin called the role.

Councillor Azeem – Absent

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Zusy – Yes

Yes – 4, No – 0, Absent – 1. Motion passed.

The Neighborhood and Long Term Planning, Public Facilities, Arts and Celebrations Committee adjourned approximately at 4:03p.m.

Clerk's Note: The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record. The video for this meeting can be viewed at: https://cambridgema.granicus.com/player/clip/978?view_id=1&redirect=true

That the Neighborhood and Long-Term Planning Committee hold a meeting to explore the ability to prohibit, either through city or state legislation, the common practice of landlords requiring tenants to pay broker fees.

A communication was received from Maura Pensak, Housing Liason, transmitting information on junk fees in rental housing.

A communication was received from Maura Pensak, Housing Liason, transmitting a presentation related to tenant paid fees.