

Inspection Form

Agency Name, Address, Phone

SSC 105 CMR 410.000: Chapter II, Minimum Standards of Fitness for Human Habitation

Date	Time	# Occupants	# Children < 6 Years
Address	Unit #	City/Town	
Occupant Name		Phone #	
Owner Name		Phone#	
Owner Address		City/Town	Zip Code
# Dwelling/ Rooming Units in Dwelling		# Stories	Floor Level of Unit
# Sleeping Rooms		# Habitable Rooms (.400)	
Inspector		Title	

If violations are observed and checked, describe them fully on Page 3.

Area or Element	Type of Violation Use blank boxes for ones not listed	Possible Code Section(s)	✓if Violation Observed	Responsible Party	
				Owner	Occupant
Exterior, Yard & Porch	Locks	480			
	Posting, ID, Exit signs/emergency lights	481, 483, 484			
	Handrails, steps, doors windows, roof	500, 501, 503			
	Rubbish—storage and collection	600, 601			
	Maintenance of Area	602			
Common Areas & Entry	Light, windows	253, 254, 501			
	Egress	450, 451, 452			
	Handrails	503			
Interior Halls & Stairs	Floors, walls ceilings	500			
	Hallways, railings, stairs	503			
	Light, windows	253, 254, 501			
Bedroom 1	Location (circle): Front Rear Middle Left Middle Right Floor Level of Unit				
	Ventilation	280			
	Ceiling height	401, 402			
	Windows, screen	501, 551			
Bedroom 2	Location (circle): Front Rear Middle Left Middle Right Floor Level of Unit				
	Ventilation	280			
	Ceiling height	401, 402			
	Windows, screen	501, 551			
Bathroom	Toilet, sink, shower, tub, door	150			
	Smooth, impervious surfaces	150			
	Lights, outlets, ventilations	251, 280			
	Floors/walls	504			
Kitchen	Sink, stove, oven; good repair, impervious and smooth, space refrig	100			
	Lights, outlets, ventilation, windows, screens	251, 280, 501, 551			

Area or Element	Type of Violation Use blank boxes for ones not listed	Possible Code Section(s)	✓if Violation Observed	Responsible Party	
				Owner	Occupant
	Ceiling height	401, 402			
	Floor	504			
Living room and Dining Room	Lights, outlets, ventilation	250, 280			
	Ceiling height	401, 402			
	Windows/screens	501, 551			
Basement	Maintenance	500			
	Watertight	500			
	Lighting	253			
Water	Source (circle): Public Private				
	Must be potable	180			
	Quantity, pressure	180			
	Responsible for paying MGL ch 186 s 22, metering	354			
Hot Water	Fuel Type (circle): Natural Gas Oil Electric Other Temp.: °f Location taken:				
	Quantity, pressure, 110 F min, 130 max	190			
	Venting	202			
Heating	Type (circle): Forced Hot Water Forced Hot Air Steam Electric				
	No portable units	200			
	"Habitable room and every room with toilet, shower, tub"	201			
	<ul style="list-style-type: none"> 68 F 7 am to 11 pm, 64 F 11:01 pm to 6:59 am, except 6/15-9/15 78 F max in heating season/measure 5 feet wall, 5 feet floor 				
	Venting, metering	202, 354, 355			
Electrical	Type (circle): 110 220 Amp:				
	Amperage, temporary wiring, metering	250, 255, 256, 354			
Drainage, Plumbing	Type (circle): Public Private				
	Sanitary drainage required and maintained	300, 351			
Smoke & CO Detectors	Required & operational	482			
Pests	Free of pests (rodents, skunks, cockroaches, insects)	550			
	Structural maintenance and elimination of harborage	550			
Asbestos or Lead Paint		353, 502			
Curtailment		620			
Access		810			
Other					

THE FOLLOWING IS A BRIEF SUMMARY OF SOME OF THE LEGAL REMEDIES TENANTS MAY USE IN ORDER TO GET HOUSING CODE VIOLATIONS CORRECTED.

1. Rent Withholding (General Laws Chapter 239 Section 8A).

If Code Violations Are Not Being Corrected you may be entitled to hold back your rent payment. You can do this without being evicted if:

- A. You can prove that your dwelling unit or common areas contain violations which are serious enough to endanger or materially impair your health or safety and that your landlord knew an=about the violations before you were behind in your rent.
- B. You did not cause the violations and they can be repaired while you continue to live in the building.
- C. You are prepared to pay any portion of the rent into court if a judge orders you to pay for it. (for this it is best to put the rent money aside in a safe place.)

2. Repair and Deduct (General Laws Chapter 111 Section 127L).

This law *sometimes* allows you to use your rent money to make the repairs yourself. If your local code enforcement agency certifies that there are code violations which endanger or materially impair your health, safety or well-being and your landlord has received written notice of the violations, you may be able to use this remedy. If the owner fails to begin necessary repairs (or enter into a written contract to have them made) within five days after notice or to complete repairs within 14 days *after notice* you can use up to four months' rent in any year to make the repairs.

3. Retaliatory Rent Increases or Eviction Prohibited (General Laws Chapter 186, Section 18 and Chapter 239 Section 2A).

The owner may not increase your rent or evict you in retaliation for making a complaint to your local code enforcement agency about code violations. If the owner raises your rent or tries to evict within six months after you have made the complaint he or she will have to show a good reason for the increase or eviction which is unrelated to your complaint. You may be able to sue the landlord for damages if he or she tries this.

4. Rent Receivership (General Laws Chapter 111 Sections 127C-H).

The occupants and/or the board of health may petition the District or Superior Court to allow rent to be paid into court rather than to the owner. The court may then appoint a "receiver" who may spend as much of the rent money as is needed to correct the violation. The receiver is not subject to a spending limitation of four months' rent.

5. Search of Warrant of Habitability.

You may be entitled to sue your landlord to have all or some of your rent returned if your dwelling unit does not meet minimum standards of habitability.

6. Unfair and Deceptive Practices (General Laws Chapter 93A)

Renting an apartment with code violations is a violation of the consumer protection act and regulations for which you may sue an owner.

THE INFORMATION PRESENTED ABOVE IS ONLY A SUMMARY OF THE LAW, BEFORE YOU DECIDE TO WITHHOLD YOUR RENT OR TAKE ANY LEGAL ACTION. IT IS ADVISABLE THAT YOU CONSULT AN ATTORNEY, YOU SHOULD CONTACT THE NEAREST LEGAL SERVICES OFFICE WHICH IS:

(NAME)

(TELEPHONE NUMBER)

(ADDRESS)