

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT
SUPERIOR COURT

SUFFOLK, SS

DOCKET NO.

MASSLANDLORDS, INC.,
Plaintiff,

v.

CITY OF BOSTON,
Defendant.

COMPLAINT

INTRODUCTION

Plaintiff MassLandlords, Inc., brings this action to enforce the Public Records Law and seeks relief pursuant to G.L. c. 66, §10A (c). In 2022, Plaintiff requested public records about the selection of members of the Rent Stabilization Advisory Committee that the Mayor had recently formed. The committee's proposal formed the basis for a Home Rule bill that would establish a form of rent control in Boston, which on February 13, 2023, the Mayor submitted to the City Council for filing with the Legislature.

Among the public records that Plaintiff requested were any and all City of Boston emails to, from, or cc'ing the email addresses of twenty-three named individuals during the period March 11, 2021, through March 15, 2022. These individuals all became members of the Mayor's Rent Stabilization Advisory Committee. Other than a solitary document that it described as a "welcome email," the City has not only failed to produce the records, but (despite a directive from the Supervisor of Records) has also failed to state whether they exist. The City's implication — that there was absolutely no email correspondence involving *any* department of the City of Boston and *any* of these twenty-three individuals in the twelve months

prior to their becoming members of Mayor's Rent Stabilization Advisory Committee — beggars belief.

PARTIES

1. Plaintiff, MassLandlords, Inc., is a Massachusetts nonprofit corporation with a principal office at One Broadway, Floor 14, Cambridge, MA 02142.
2. Defendant, the City of Boston, is a municipal corporation with a principal office at 1 City Hall Square, Boston, MA 02201.

JURISDICTION AND VENUE

3. The Court has jurisdiction, and venue is proper, pursuant to c. 66, 10A (c), which provides that:

Notwithstanding the procedure in subsections (a) or (b), a requestor may initiate a civil action to enforce the requirements of this chapter. Any action under this subsection shall be filed in Suffolk superior court with respect to agencies and, with respect to municipalities, in the superior court in the county in which the municipality is located. The superior court shall have available all remedies at law or in equity; provided, however, that any damages awarded shall be consistent with subsection (d).

The City of Boston is located in Suffolk County, which, under the statute, is the proper venue for this action.

FACTS

4. MassLandlords' mission is to create better rental housing in Massachusetts by helping current, new, and prospective landlords run sustainable, compliant, and quality businesses. To this end, MassLandlords organizes opportunities for landlord education and networking; advocates among all stakeholders for appropriate laws, regulations, court decisions, and ordinances; and maintains the Certified Massachusetts Landlord™ program, which is founded on four commitments: Do what is right for ourselves, our buildings, our renters, and the community at large. As of February 1, 2023: MassLandlords membership consisted of 2,390 dues-paying

businesses in good standing of whom 130 reside in Boston and of whom eighty-seven operate housing there; the newsletter was sent to 7,639 subscribers; the website at <https://MassLandlords.net> had served 280,006 unique visitors the previous twelve months.

5. On March 28, 2022, Plaintiff submitted to Defendant a public records request, a true copy of which is attached hereto as Exhibit A. By way of the request, Plaintiff sought, among other records, “all emails to, from, or cc’ing City email systems in connection with each of [twenty-three email addresses]” for the period March 11, 2021, through March 15, 2022. The twenty-three email addresses were of individuals whom the Mayor appointed to the Rent Stabilization Advisory Committee in March 2022. Twenty-five individuals were appointed, but as Plaintiff was unable to determine email addresses for two of these, Plaintiff’s request concerned twenty-three addresses only.

6. On April 11, 2022, counsel for Defendant wrote to Plaintiff:

I see a response to this request is due today. I alerted representatives from the appropriate City departments in an effort to obtain an update on the status of your March 28, 2022 public records request. I will provide an update to you once additional information is provided to me by the department.

7. On April 12, 2022, Plaintiff petitioned the Supervisor of Records, who contacted Defendant. On April 14, 2022, Defendant informed Plaintiff:

I have alerted representatives from the Mayor’s Office regarding this matter in an effort to resolve any outstanding issues regarding your March 28, 2022 public records request. I will provide an update to you once additional information is provided to me by the department.

8. On April 19, 2022, Defendant wrote:

I see a response to this request is overdue. I alerted representatives from the appropriate City departments in an effort to obtain an update on the status of your March 28, 2022 public records request. I will provide an update to you once additional information is provided to me by the department.

Despite the foregoing message, Plaintiff received no records and no update.

9. On or about April 27, 2022, the Supervisor ordered Defendant to respond. A true copy of the Supervisor's letter to the City is attached hereto as Exhibit B.

Despite being notified of the opening of this appeal, it remains unclear whether the City has provided a response. Accordingly, the City is ordered to provide Attorney Vickery with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations within 10 business days.

10. On April 27, 2022, Defendant issued its response, a true copy of which is attached hereto as Exhibit C. The response stated that “[i]nvitations to the committee were extended via phone call,” and with regard to the request for all City emails to, from, or cc'ing the twenty-three specific addresses during the twelve-month period preceding the establishment of the committee “[a] welcome email was sent on March 11, 2022. That email is attached to this communication.”

11. The implication that in the period March 2021 to March 2022 there were absolutely no email communications between any City department and any of the twenty-three individuals who went on to become members of the Mayor's Rent Stabilization Committee struck Plaintiff as not credible. Accordingly, on April 28, 2022, Plaintiff petitioned the Supervisor of Records. A true copy of the petition is attached hereto as Exhibit D.

12. On May 12, 2022, the Supervisor of Records issued a determination (a true copy of which is attached hereto as Exhibit E) that stated:

Based on the City's response, it is unclear if it possesses additional records responsive to the above request. The duty to comply with requests for records extends to those records that exist and are in the possession, custody, or control of the custodian of records at the time of the request. See G. L. c. 66, § 10(a)(ii).

... Accordingly, the City is ordered to provide Attorney Vickery with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations within ten (10) business days. A copy of any such response must be provided to this office.

13. On or about September 8, 2022, Defendant provided a response, a true copy of which is attached hereto as Exhibit F, stating:

A response has been provided to this request, dated April 27, 2022. Should you have further questions please do not hesitate to reach out to me directly at shawn.williams@boston.gov.

In its communication dated September 8, 2022, Defendant did not state whether it possessed additional records responsive to the request. It simply pointed to the April 27, 2022, response. This failure to state whether the records exist violates the clear terms of the Supervisor's order.

14. The members of the Rent Stabilization Advisory Committee include Karen Chen, Executive Director at Chinese Progressive Association, and Emilio Dorcelly, CEO of Urban Edge, which is located in Jackson Square at the crossroads of Roxbury and Jamaica Plain. The notion that neither of these individuals was even copied on so much as one City of Boston email, in the twelve months prior to March 15, 2022, is not credible. Ms. Chen, for example, was a member of the City's Equitable Recovery Task Force and Health Inequities Task Force established in the summer of 2021.¹ Mr. Dorcelly was quoted in a press release from the Boston Planning and Development Agency dated March 11, 2021.² That day (March 11, 2022) is the effective date of Plaintiff's request for City emails to, from, or cc'ing committee members. Perhaps the agency published the press release without cc'ing the individuals quoted in it; but

¹ <https://www.wgbh.org/news/local-news/2021/07/12/boston-task-force-recommends-steps-for-equitable-covid-19-recovery>

<https://www.boston.gov/sites/default/files/file/2021/07/Health%20Equity%20Now%20Plan.pdf>

² <https://www.bostonplans.org/news-calendar/news-updates/2021/03/11/mayor-walsh-signs-42-percent-increase-in-linkage-f>

that seems unlikely. For the City of Boston to have no emails whatsoever even cc'ing Ms. Chen and Mr. Dorcely in the period March 2021 - March 2022 is extremely unlikely, to say the least.

15. Another committee member, Lisa Owens, became the Executive Director at Hyams Foundation after serving as the Executive Director of City Life/Vida Urbana. Again, it is impossible to believe that between March 11, 2021, and March 15, 2022, there were no City emails whatsoever to, from, or cc'ing Ms. Owens.

16. The proposal of the Rent Stabilization Advisory Committee would, if enacted by the Legislature, prohibit landlords in Boston from increasing rent by the rate of inflation. Furthermore, the proposal would restrict the means by which landlords may recover possession of a rented dwelling unit. The two together would effect a form of rent control that in the case of Massachusetts has measurably exacerbated the dearth of affordable housing and caused disparate impact on the basis of race. The exact impact of the proposed rent control/stabilization on the housing market is known from direct experience in Massachusetts.

17. In 1985, Heikki Loikkanen of the Academy of Finland predicted availability discrimination under rent control. When landlords are hemmed in at or below inflation, with eviction restrictions, they hold units vacant longer waiting for a perfect applicant with high income and perfect credit.³

18. In America and in Boston, no less, we have had a Black-White wealth gap and rental application gap that previous housing policies have exacerbated. The Economic Policy Institute shows 2018 median household income was \$41,692 for black households and \$70,642 for white households.⁴ ApartmentList shows black households are twice as likely to be evicted as white

³ Loikkanen, Heikki. "On Availability Discrimination under Rent Control." Scand. J. of Economics 87 (3), 500-520, 1985.

⁴ <https://www.epi.org/blog/racial-and-ethnic-income-gaps-persist-amid-uneven-growth-in-household-incomes/>

households.⁵ The Urban Institute shows twenty-one percent of black households have a FICO credit score above 700, whereas fifty percent of white households do.⁶ A report from the Sentencing Project shows African Americans constitute fifty-three percent of drug convictions, despite representing fourteen percent of drug users.⁷

19. Massachusetts had rent control in various municipalities for various years, and experienced the phenomenon of “availability discrimination.” In Cambridge, for example, the applicants who obtained rent-controlled housing were disproportionately well-off and disproportionately white. Although twenty-two percent of Cambridge residents were residents of color, only eight percent of rent controlled units went to renters of color.⁸

20. Swedish economists Gunnar Myrdal and Assar Lindbeck described the policies’ flaws succinctly. Myrdal called it “maybe the worst example of poor planning by governments lacking courage and vision.” Lindbeck stated: “In many cases rent control appears to be the most efficient technique presently known to destroy a city — except for bombing.” From the 1970s onward, other economists have described the deleterious effects of rent control, e.g.

(R)ent control ... tends to engender in the long run overall deterioration in the housing market (T)he adoption of rent controls in an area, such as Los Angeles, may have several perverse economic effects that in the long run will exacerbate the decline in general rental and non-rental housing markets.⁹

⁵ <https://www.apartmentlist.com/research/rental-insecurity-the-threat-of-evictions-to-americas-renters>

⁶ <https://www.urban.org/urban-wire/breaking-down-black-white-homeownership-gap>

⁷ <https://www.sentencingproject.org/wp-content/uploads/2016/01/Reducing-Racial-Disparity-in-the-Criminal-Justice-System-A-Manual-for-Practitioners-and-Policymakers.pdf>

⁸ Sims, David. “Out of control: What can we learn from the end of Massachusetts rent control?” *J. Urban Econ.* 61 (1), January 2007, pp. 129 – 151. <https://www.sciencedirect.com/science/article/abs/pii/S0094119006000635>

⁹ R. Edelstein, *An Evaluation of Rent Control as a Housing Policy Instrument in An Analysis of the Los Angeles Rental Housing Market* 102 (1979).

Market deterioration arises from the way the policy reduces the value of the rent-controlled properties.¹⁰ This, in turn, reduces the ability of property owners to maintain rental dwellings so as to keep them fit for human habitation.

21. Recent scholarship on rent control/rent stabilization continues to highlight the inefficacy of these policies: “Although rent control has generally been found to have positive effects for residents in controlled units, these benefits may be offset by negative effects on the uncontrolled sector, which may see increased rents caused by constrained supply.”¹¹

22. The cost of rent control to Cambridge was approximately \$2 billion in assessed values lost, and concomitant tax revenue lost. Of these assessed values lost, \$1.7 billion of loss was attributable to non-controlled units, meaning rent control had citywide impact even where not directly applied.¹² The reduced tax revenue resulted in increased state aid to Cambridge and decreased state aid to other municipalities.

23. Following the recent governmental responses to COVID-19 at the State and Federal level, which have increased the concentrated ownership of rental properties (most notably the widespread acquisitions by Blackstone¹³), there is every reason to believe the impact of rent control will be rather worse now than it was in the past.

¹⁰ David H., et al., Housing Market Spillovers: Evidence from the End of Rent Control in Cambridge, Massachusetts, 122 *J. of Pol. Econ.* 661 (June 2014), https://www.nber.org/system/files/working_papers/w18125/w18125.pdf

¹¹ Prasanna Rajasekaran, Mark Treskon, and Solomon Greene. *Rent Control: What Does the Research Tell Us About the Effectiveness of Local Action?* Urban Institute. January 2019. https://www.urban.org/sites/default/files/publication/99646/rent_control._what_does_the_research_tell_us_about_the_effectiveness_of_local_action_1.pdf

¹² Rebecca Diamond, “What does economic evidence tell us about the effects of rent control?” October 18, 2018. <https://www.brookings.edu/research/what-does-economic-evidence-tell-us-about-the-effects-of-rent-control/>

¹³ Maureen Farrell, “Blackstone expands further into rental housing in the United States” *New York Times*, February 16, 2022.

24. Economists are not alone in their objections to policies of the kind that Defendant is proposing. Out of 900 unique public comments submitted to Defendant, thirty-nine percent opposed the proposed rent stabilization framework and only thirty-seven percent supported it.¹⁴

25. Defendant's lack of transparency is itself a matter of public interest. Defendant has by its own admission on 221 occasions wrongfully failed to comply with public records requests since March 2021¹⁵.

26. As of March 16, 2022, shortly after the Rent Stabilization Advisory Committee was announced, the Massachusetts Office of Campaign and Political Finance identified seventeen of the twenty-five appointees as previous or current personal contributors to Massachusetts political races.

- a. Kathy Brown, Coordinator at Boston Tenant Coalition, had given \$135.
- b. Carolyn Villers, Executive Director at Mass Senior Action, had given \$140.
- c. Lauren Song, Senior Attorney at Greater Boston Legal Services, had given \$175.
- d. Kimberly Sherman, President of Related Beal had given \$500.
- e. Beyazmin Jimenez, Abundant Housing Massachusetts Board President, had given \$770.94.
- f. Karen Chen, Executive Director at Chinese Progressive Association, had given \$1,352.
- g. Megan Sandel, Associate Professor of Pediatric Medicine at Boston University, had given \$1,500.
- h. Chanda Smart, CEO at Onyx, had given \$1,700.
- i. Michael Kane, Executive Director at HUD Tenant Alliance, had given \$3,415.

¹⁴ <https://www.wgbh.org/news/politics/2023/01/18/public-comments-show-deep-divide-on-rent-control-in-boston>

¹⁵ <https://www.bostonherald.com/2022/09/29/boston-closed-211-records-requests-by-citing-own-inaction/>

- j. Lisa Owens, Executive Director at Hyams Foundation, had given \$4,125.
 - k. Jeanne Pinado, Vice President of Capital Markets at Colliers International, had given \$5,004.
 - l. Joe Kriesberg, President of Massachusetts Association of Community Development Corporations, had given \$7,260.
 - m. Curtis Kemeny, CEO and President of Boston Residential Group, had given \$13,835.50.
 - n. Dermot Doyne, local landlord and business owner, had given \$18,250.
 - o. Josh Zakim, founder and Executive Director at Housing Forward MA, had given \$19,407.
 - p. Kirk Sykes, Managing Partner at Accordia Partners, had given \$40,513.
 - q. Brian Kavogian, Managing Director of National Development, had given \$143,482.35.
27. As of March 16, 2022, the Massachusetts Office of Campaign and Political Finance identified twenty-one of the twenty-five organizations represented by appointees as previous or current contributors, via their employees, to Massachusetts political races.
- a. Employees disclosing that they worked for the Harvard Joint Center for Housing Studies gave in aggregate \$70.
 - b. Employees disclosing that they worked for Abundant Housing Massachusetts gave in aggregate \$368.
 - c. Employees disclosing that they worked for Mass Senior Action gave in aggregate \$936.
 - d. Employees disclosing that they worked for the HUD Tenant Alliance gave \$1,368.
 - e. Employees disclosing that they worked for the North Atlantic States Regional Council of Carpenters gave \$1,425.
 - f. Employees disclosing that they worked for Onyx gave in aggregate \$1,475.

- g. Employees disclosing that they worked for Accordia Partners gave in aggregate \$1,805.
- h. Employees disclosing that they worked for City Life/Vida Urbana gave in aggregate \$4,526.
- i. Employees disclosing that they worked for the Massachusetts Association of Community Development Corporations gave in aggregate \$6,645.
- j. Employees disclosing that they worked for the Hyams Foundation gave in aggregate \$7,328.
- k. Employees disclosing that they worked for the Chinese Progressive Association gave in aggregate \$7,670.19.
- l. Employees disclosing that they worked for Housing Forward MA gave in aggregate \$8,026.
- m. Employees disclosing that they worked for the Boston Teachers Union gave in aggregate \$15,362.58.
- n. Employees disclosing that they worked for Related Beal gave in aggregate \$15,381.
- o. Employees disclosing that they worked for the 1199 SEIU gave in aggregate \$18,443.84.
- p. Employees disclosing that they worked for Boston Residential Group gave in aggregate \$18,485.
- q. Employees disclosing that they worked for Urban Edge gave in aggregate \$19,494.46.
- r. Employees disclosing that they worked for the Greater Boston Legal Services gave in aggregate \$48,969.
- s. Employees disclosing that they worked for Colliers International gave in aggregate \$88,330.12.

t. Employees disclosing that they worked for National Development gave in aggregate \$308,222.

u. Employees disclosing that they worked for Boston University gave in aggregate \$597,780.57.

28. Whatever one's opinion on the consequences of rent control/rent stabilization, the public interest demands transparency on all matters affecting the process by which laws are proposed and enacted, the resultant scarcity of affordable housing in Boston, the disparate impact of these policies on the basis of race, and the effect of these policies on the distribution of state aid.

29. The public has an interest in knowing what communications passed between Defendant and the individuals who became members of the committee, how the Mayor came to choose those particular individuals, and what motivation may exist for them to persist in advocating for policies known to economists and to the general public to be harmful and contrary to the public interest.

30. Because Defendant has failed to respond to the request in the manner required by statute, it is not entitled to charge Plaintiff any fee for the collection and production of responsive records.

RELIEF

WHEREFORE Plaintiff respectfully requests that this Honorable Court:

- A. Expedite this proceeding in accordance with G.L. c. 66, § 10A(d)(1)(iii);
- B. Determine that Defendant violated G.L. c. 66, § 10;
- C. Order Defendant to produce all documents responsive to Plaintiff's request dated March 28, 2022, without charging a fee;
- D. Award Plaintiff its costs and reasonable attorney's fees; and
- E. Order such other relief as the Court deems just and appropriate.

Respectfully Submitted
Plaintiff MassLandlords, Inc.
By Its Attorney:



Peter Vickery, Esq.
Bobrowski & Vickery, LLC
27 Pray Street
Amherst, MA 01002
BBO# 641574
Tel. (413) 992 2915
Email: peter@petervickery.com

February 24, 2023

EXHIBIT A

City Public Records Request 14 days ago

R000939-032822

Dear Records Access Officer:

I represent MassLandlords, Inc. On behalf of my client, and pursuant to section 10 of chapter 66 of the Massachusetts General Laws and Chapter 121 of the Acts of 2016, I hereby request that you supply copies of any and all public records (including emails) relating to:

1. The decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC);
2. Solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls;
3. Selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates;
4. All invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation;
5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or ceing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):
 - a. kathy@bostontenant.org
 - b. contactnasrcc@nasrcc.com
 - c. justice@cpasf.org
 - d. edorcely@urbanedge.org
 - e. dermotdoyne@gmail.com
 - f. ceherbert@gmail.com
 - g. info@abundanthousingma.org
 - h. naht@saveourhomes.org
 - i. bkavoogian@natdev.com
 - j. curtis.kemeny@aol.com
 - k. ksykes@accordiare.com
 - l. joek@macdc.org
 - m. dmtturner@clvu.org
 - n. info@hyamsfoundation.org
 - o. jeanne.pinado@colliers.com
 - p. mimi.neunited4justice@gmail.com
 - q. megan.sandel@bmc.org
 - r. csmart@onyxboston.com
 - s. ldsong00@yahoo.com
 - t. steil@mit.edu
 - u. cvillers@masssenioraction.org
 - v. joshzakim@gmail.com
 - w. ksherman@relatedbeal.com

If the scope of my request is not clear, please let me know at your earliest convenience. I note Governor Baker's memorandum dated July 30, 2015, regarding best practices for responding to public records requests and respectfully ask that in the spirit of the memorandum you waive search and retrieval fees. In addition, with regard to copying, if you expect that the cost of compliance will exceed \$10.00 please provide a written, detailed, good faith estimate of the cost.

Sincerely, Peter Vickery, Esq.

[https://bostonma.gov/va.us/WEBAPP/_rs/\(S\(sds4a4cs14zfwinedhdqwbk\)\)/CustomerIssues.aspx?sSessionID=73159214223PPLUMMH\[TMETYKQWCYYNDIGLALCHJ](https://bostonma.gov/va.us/WEBAPP/_rs/(S(sds4a4cs14zfwinedhdqwbk))/CustomerIssues.aspx?sSessionID=73159214223PPLUMMH[TMETYKQWCYYNDIGLALCHJ)

EXHIBIT B



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division

Rebecca S. Murray
Supervisor of Records

April 27, 2022
SPR22/0857

Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer
City of Boston
1 City Hall Plaza, Room 615
Boston, MA 02201

Dear Attorney Williams:

I have received the petition of Attorney Peter Vickery of *Bobrowski & Vickery, LLC* appealing the nonresponse of the City of Boston (City) to a request for public records. G. L. c. 66, § 10A; see also 950 C.M.R. 32.08(1). On March 28, 2022, Attorney Vickery requested five categories of records relating to the “Mayor’s Rent Stabilization Advisory Committee.”

Claiming to not yet have received a response, Attorney Vickery petitioned this office and this appeal, SPR22/0857, was opened as a result.

Despite being notified of the opening of this appeal, it remains unclear whether the City has provided a response. Accordingly, the City is ordered to provide Attorney Vickery with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations within 10 business days. A copy of any such response must be provided to this office. It is preferable to send an electronic copy of this response to this office at pre@sec.state.ma.us.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Murray". The signature is written in a cursive style.

Rebecca S. Murray
Supervisor of Records

cc: Peter Vickery, Esq.

EXHIBIT C

City of Boston Public Records Office City Public Records Request :: R000939-032822

City of Boston <CityofBoston@govqa.us>

Wed 4/27/2022 3:53 PM

To: peter.petervickery.com <peter@petervickery.com>

Cc: rebecca.murray@sec.state.ma.us <rebecca.murray@sec.state.ma.us>

Attachments:

[2022-03-11 Welcome to the Rent Stabilization Advisory Committee.pdf](#)

--- Please respond above this line ---



City of Boston
Shawn A. Williams, Esq.
Director of Public Records

04/27/2022

RE: PUBLIC RECORDS REQUEST of March 28, 2022, Reference # R000939-032822

Dear Peter Vickery, Esq.:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law*, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

Dear Records Access Officer:

I represent MassLandlords, Inc. On behalf of my client, and pursuant to section 10 of chapter 66 of the Massachusetts General Laws and Chapter 121 of the Acts of 2016, I hereby request that you supply copies of any and all public records (including emails) relating to:

- 1. The decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC);*
- 2. Solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls;*
- 3. Selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates;*
- 4. All invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation;*
- 5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or cc'ing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):*

a. kathy@bostontenant.org
b. contactnasrcc@nasrcc.com
c. justice@cpasf.org
d. edorcelj@urbanedge.org
e. dermotdoyne@gmail.com
f. ceherbert@gmail.com
g. info@abundanthousingma.org
h. naht@saveourhomes.org
i. bkavoogian@natdev.com
j. curtis.kemeny@aol.com
k. ksykes@accordiare.com
l. joek@macdc.org
m. dmturner@clvu.org
n. info@hyamsfoundation.org
o. jeanne.pinado@colliers.com
p. mimi.neunited4justice@gmail.com
q. megan.sandel@bmc.org
r. csmart@onyxboston.com
s. ldsongo0@yahoo.com
t. steil@mit.edu
u. cvillers@masssenioraction.org
v. joshzakim@gmail.com
w. ksherman@relatedbeal.com

If the scope of my request is not clear, please let me know at your earliest convenience. I note Governor Baker's memorandum dated July 30, 2015, regarding best practices for responding to public records requests and respectfully ask that in the spirit of the memorandum you waive search and retrieval fees. In addition, with regard to copying, if you expect that the cost of compliance will exceed \$10.00 please provide a written, detailed, good faith estimate of the cost.

Sincerely,

Peter Vickery, Esq.

Please see below a response to each item listed above:

1. During her campaign, Mayor Wu discussed her concerns for housing instability for Bostonians and proposed exploring rent stabilization as one of the many tools needed to address the housing affordability crisis in Boston.
2. The City did not solicit names of members for the committee via those channels.
3. The City did not have a rubric for choosing members or do background checks.
4. Invitations to the committee were extended via phone call.
5. A welcome email was sent on March 11, 2022. That email is attached to this communication.

Very truly yours,



Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer
04/27/2022

Peter Vickery, Esq.
27 Pray Street, MA
Amherst, MA 01002

RE: Public Records Request R000939-032822 submitted to City of Boston on March 28, 2022

Dear Peter Vickery, Esq.,

The City of Boston (City) has received your request for public records from the Mayor's Office . This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law* , p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

Dear Records Access Officer:

I represent MassLandlords, Inc. On behalf of my client, and pursuant to section 10 of chapter 66 of the Massachusetts General Laws and Chapter 121 of the Acts of 2016, I hereby request that you supply copies of any and all public records (including emails) relating to:

- 1. The decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC);*
- 2. Solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls;*
- 3. Selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates;*
- 4. All invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation;*
- 5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or cc'ing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):*

- a. kathy@bostontenant.org*
- b. contactnasrcc@nasrcc.com*
- c. justice@cpasf.org*
- d. edorcely@urbanedge.org*
- e. dermotdoyne@gmail.com*
- f. ceherbert@gmail.com*
- g. info@abundanthousingma.org*
- h. naht@saveourhomes.org*
- i. bkavoogian@natdev.com*
- j. curtis.kemeny@aol.com*

k. ksykes@accordiare.com
l. joek@macdc.org
m. dmturner@clvu.org
n. info@hyamsfoundation.org
o. jeanne.pinado@colliers.com
p. mimi.neunited4justice@gmail.com
q. megan.sandel@bmc.org
r. csmart@onyxboston.com
s. ldsongo00@yahoo.com
t. steil@mit.edu
u. cvillers@masssenioraction.org
v. joshzakim@gmail.com
w. ksherman@relatedbeal.com

If the scope of my request is not clear, please let me know at your earliest convenience. I note Governor Baker's memorandum dated July 30, 2015, regarding best practices for responding to public records requests and respectfully ask that in the spirit of the memorandum you waive search and retrieval fees. In addition, with regard to copying, if you expect that the cost of compliance will exceed \$10.00 please provide a written, detailed, good faith estimate of the cost.

Sincerely,

Peter Vickery, Esq.

[SPR22/0857]

Response : Full Release

The City will review your request and will provide a response once the review of your request is complete.
Yours truly,



Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer
City of Boston
One City Hall Square
Boston, MA 02201
publicrecords@boston.gov

From: Maya Getter <maya.getter2@boston.gov>

Sent: Friday, March 11, 2022 4:56 PM EST

To: Tim Davis <tim.davis2@boston.gov>; Tali Robbins <tali.robbs@boston.gov>; Sheila Dillon <sheila.dillon@boston.gov>; Michael Firestone <mike.firestone@boston.gov>

BCC: chris_herbert@harvard.edu <chris_herbert@harvard.edu>; steil@mit.edu <steil@mit.edu>; beyazmin.j@gmail.com <beyazmin.j@gmail.com>; Michael Kane <michaelkane@saveourhomes.org>; dmtturner@clvu.org <dmtturner@clvu.org>; mimi@righttothecity.org <mimi@righttothecity.org>; Carolyn Villers <cvillers@masssenioraction.org>; Josh Zakim <josh@housingforwardma.org>; karen@cpaboston.org <karen@cpaboston.org>; ksykes@accordiare.com <ksykes@accordiare.com>; Sandel, Megan <megan.sandel@bmc.org>; jbyrne@nasrcc.org <jbyrne@nasrcc.org>; Emma Anderson <missemmasdilemma@gmail.com>; Song, Lauren <lsong@gbls.org>; joek@macdc.org <joek@macdc.org>; csmart@onyxboston.com <csmart@onyxboston.com>; Curtis Kemeny <ckemeny@bostonresidentialgroup.com>; edorcely@urbanedge.org <edorcely@urbanedge.org>; jeanne.pinado@colliers.com <jeanne.pinado@colliers.com>; kathy@bostontenant.org <kathy@bostontenant.org>; Sherman Stampler, Kimberly <ksherman@related.com>; bkavoogian@natdev.com <bkavoogian@natdev.com>

Subject: Welcome to the Rent Stabilization Advisory Committee

Attachment(s): "Rent Stabilization Press Release.pdf"

Dear Advisory Committee Members,

Thank you so much for agreeing to serve on the City's Rent Stabilization Advisory Committee. On behalf of Mayor Wu and the entire City team, we appreciate your willingness to help us consider policies to protect renters and address displacement of Boston families. My name is Maya Getter and I'm a policy advisor in the Mayor's Office. I will be providing ongoing staff support to the committee and look forward to getting to know you all.

On this email, I am also copying Sheila Dillon and Tim Davis from the Mayor's Office of Housing and Mike Firestone and Tali Robbins from the policy office, who will be working with the committee.

We had discussed holding a meeting next week, but are now planning to schedule our first meeting in late March. I will follow up next week with a date and time for our first meeting and other materials to support the committee in our work.

Below and attached, please see the [press release](#) announcing the committee. We thank you all for rolling up your sleeves on this important initiative for Boston residents. We look forward to working with you.

Sincerely,
Maya Getter

MAYOR WU ANNOUNCES MEMBERS OF RENT STABILIZATION ADVISORY COMMITTEE

Committee will examine successful rent stabilization programs in other cities and consider measures to stop displacement of Boston families and protect tenants

BOSTON - Thursday, March 10, 2022 - Building upon her commitment to protect Boston renters, today Mayor Michelle Wu announced a Rent Stabilization Advisory Committee made up of housing advocates, developers, tenants, and other stakeholders. The advisory committee members will study local housing conditions as well as the structure and outcomes of rent stabilization programs in other cities. They will be tasked with making recommendations to the Mayor and the Mayor's Office of Housing on strategies to stabilize Boston rents and protect tenants from displacement. The committee will meet throughout 2022 with the goal of shaping a proposal for the next state legislative session.

"Cities across the country use rent stabilization as one tool among many to protect tenants and keep families in their homes," said **Mayor Michelle Wu**. "The majority of Boston residents and families are renters. If we aren't willing to take on the rent increases that are driving families out of Boston, then we aren't meeting the needs of our neighborhoods. I thank the broad group of stakeholders, including advocates, tenants, and developers, who are willing to roll up their sleeves to reimagine what's possible."

Rent stabilization measures in cities across the United States empower municipalities to set certain limits on annual rent increases for existing tenants, and may also include other tenant protections. These approaches promote the preservation of mixed-income neighborhoods and prevent renters from being pushed out of their communities.

"As an organizer fighting for a housing market that lets people move when they want, where they want, not when they have to, I am pleased to be a part of this committee," said **Beyazmin Jimenez, Abundant Housing Massachusetts Board President**. "I look forward to working with the other members of this committee to explore ways that the City can create more accessible housing in our communities."

"Having worked with previous Boston mayors on planning and affordable housing policy, I'm looking forward to being able to serve the new administration and offer my expertise to shape the conversation around rent stabilization," said **Curtis Kemeny, CEO and President of Boston Residential Group**. "This is a step in the right direction, and I am confident that the City will work to ensure a thoughtful, inclusive, and balanced policy that works for all residents."

Almost 65% of Bostonians are renters, and more than half of them spend more than 30% of their monthly income on rent, leaving them struggling to save and vulnerable to housing instability. The 2020 Census also made clear that Black families are leaving the city, with the non-Hispanic Black population citywide falling by over 6% between 2010-2020. Rent stabilization is one of many tools to support renters in the short term, alongside longer-term measures that can be used to tackle housing supply and affordability.

The work of this committee would complement the work of the Office of Housing Stability. The Office of Housing Stability helps tenants in housing crises due to fire, natural disaster, eviction, or condemnation with the goal of putting residents on the path to housing stability. Its efforts include launching [tenants' rights clinics](#) for those who are not able to come to City Hall during business hours; offering low- and no-cost mediation and [dispute resolution](#) for landlords and tenants; launching the Housing Court Navigator, which provides legal advice for tenants; launching the [Landlord Incentive program](#), which offers financial backing for landlords renting to formerly unhoused people; and creating Boston's first-ever [online guide to evictions](#), designed to assist tenants in every phase of a potential eviction proceeding.

Rent stabilization would complement Mayor Wu's other initiatives to address Boston's housing affordability, including the [Transfer Fee and Senior Property Tax Exemption Home Rule Petition](#), and her commitment to update the City's commercial linkage fee and Inclusionary Development Policies. She is also highlighting the importance of Housing by renaming the Department of Neighborhood Development as the Mayor's Office of Housing, and bringing a new focus on equity by signing an [Executive Order](#) relative to affirmatively furthering fair housing.

This Advisory Committee will convene monthly to hear from experts on different rent stabilization models and City officials from the Mayor's Office of Housing and the Boston Planning & Development Agency (BPDA) on local rental market conditions. The committee will also hold community listening sessions throughout the process to hear community perspectives on housing affordability challenges and potential solutions. The first community listening session will be held virtually on April 19th, and the public can [RSVP here](#) to attend.

Rent Stabilization Advisory Committee Members:

- Emma Anderson, Boston Teachers Union member
- Kathy Brown, Coordinator at Boston Tenant Coalition
- Joe Byrne, Executive Secretary-Treasurer for the North Atlantic States Regional Council of Carpenters
- Karen Chen, Executive Director at Chinese Progressive Association
- Filaine Deronnette, Vice President of Health Systems for 1199 SEIU
- Emilio Dorcely, CEO of Urban Edge
- Dermot Doyne, Local landlord and business owner
- Chris Herbert, Managing Director of the Harvard Joint Center for Housing Studies
- Beyazmin Jimenez, Abundant Housing Massachusetts Board President
- Michael Kane, Executive Director at HUD Tenant Alliance

•

Brian Kavogian, Managing Director of National Development

•

Curtis Kemeny, CEO and President of Boston Residential Group

•

Joe Kriesberg, President of Massachusetts Association of Community Development Corporations

•

Denise Matthews-Turner, Co-Executive Director at City Life Vida Urbana

•

Lisa Owens, Executive Director at Hyams Foundation

•

Jeanne Pinado, Vice President of Capital Markets at Colliers International

•

Mimi Ramos, Executive Director at New England United for Justice

•

Megan Sandel, Associate Professor of Pediatric Medicine at Boston University

•

Kimberly Sherman, President of Related Beal

•

Chanda Smart, CEO at Onyx

•

Lauren Song, Senior Attorney at Greater Boston Legal Services

•

Justin Steil, Associate Professor of Law and Urban Planning, MIT

•

Kirk Sykes, Managing Partner at Accordia Partners

•

Carolyn Villers, Executive Director at Mass Senior Action

•

Josh Zakim, Founder and Executive Director at Housing Forward MA

About the Mayor's Office of Housing (MOH)

The Mayor's Office of Housing is responsible for housing people experiencing homelessness, creating and preserving affordable housing, and ensuring that renters and homeowners can obtain, maintain, and remain in safe, stable housing. The department develops and implements the City of Boston's housing creation and homelessness prevention plans and collaborates with local and national partners to find new solutions and build more housing affordable to all, particularly those with lower incomes. For more information, please visit the MOH [website](#).

###

Maya Getter, she/her
Policy Advisor
Office of Mayor Michelle Wu
(c) 857-928-7196

EXHIBIT D

pioneervalleylaw.com

BOBROWSKI & VICKERY, LLC

27 Pray Street, Amherst, MA 01002

Tel (413) 992 2915

Paul Bobrowski, Esq.
paul@pioneervalleylaw.com

Peter Vickery, Esq.
peter@pioneervalleylaw.com

April 28, 2022

VIA EMAIL: rebecca.murray@sec.state.ma.us
Supervisor of Records

Re: SPR22/0857

Dear Supervisor Murray:

Following your determination dated April 27, 2022, the City replied to my request. I believe that the City's reply falls short of what the statute and regulations require, and I respectfully request that you order the City to produce the requested documents. Set forth below are the 5 requests, the City's reply to each, and my description of the how the reply does not comply with the statute and regulations.

1. [Copies of any and all public records (including emails) relating to] the decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC).

Response

1. During her campaign, Mayor Wu discussed her concerns for housing instability for Bostonians and proposed exploring rent stabilization as one of the many tools needed to address the housing affordability crisis in Boston.

My request clearly seeks records relating to the decision to establish the RSAC.

The response does not identify any records relating to the decision to establish the RSAC, nor does it state whether any such records exist, contrary to G.L. c. 66, § 10(b).

2. [Copies of any and all public records (including emails) relating to] solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls

Response

2. The City did not solicit names of members for the committee via those channels.

My request clearly seeks records relating to the solicitation of suggestions for potential members of the RSAC.

The response does not identify any records relating to the solicitation of suggestions for potential RSAC members, nor does it state whether any such records exist, contrary to G.L. c. 66, § 10(b).

3. [Copies of any and all public records (including emails) relating to] selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates

Response

3. The City did not have a rubric for choosing members or do background checks.

My request clearly seeks records relating to the selection of members, not merely background-check authorizations and rubrics.

The response does not identify any records relating to the selection of members of the RSAC, nor does it state whether any such records exist, contrary to G.L. c. 66, § 10(b).

4. [Copies of any and all public records (including emails) relating to] all invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation

Response

4. Invitations to the committee were extended via phone call.

My request clearly seeks records relating to invitations to join, not merely the invitations themselves.

The response does not identify any records relating to invitations to join the RSAC, nor does it state whether any such records exist, contrary to G.L. c. 66, § 10(b).

5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or cc'ing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):

- a. kathy@bostontenant.org
- b. contactnasrcc@nasrcc.com
- c. justice@cpasf.org
- d. edorcely@urbanedge.org

- e. dermatdoyne@gmail.com
- f. ceherbert@gmail.com
- g. info@abundanthousingma.org
- h. naht@saveourhomes.org
- i. bkavoogian@natdev.com
- j. curtis.kemeny@aol.com
- k. ksykes@accordiare.com
- l. joek@macdc.org
- m. dmturner@clvu.org
- n. info@hyamsfoundation.org
- o. jeanne.pinado@colliers.com
- p. mimi.neunited4justice@gmail.com
- q. megan.sandel@bmc.org
- r. csmart@onyxboston.com
- s. ldsong00@yahoo.com
- t. steil@mit.edu
- u. cvillers@masssenioraction.org
- v. joshzakim@gmail.com
- w. ksherman@relatedbeal.com

Response

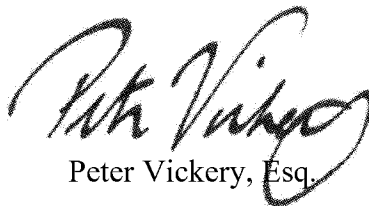
5. A welcome email was sent on March 11, 2022. That email is attached to this communication.

My request clearly seeks all emails to, from, or cc'ing the addresses listed a-w.

The response does not identify any such records or state whether any such records exist, contrary to G.L. c. 66, § 10(b).

I respectfully request that you order the City to produce the requested documents

Sincerely,



Peter Vickery, Esq.

EXHIBIT E



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division

Rebecca S. Murray
Supervisor of Records

May 12, 2022
SPR22/1001

Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer
City of Boston
1 City Hall Plaza, Room 615
Boston, MA 02201

Dear Attorney Williams:

I have received the petition of Peter Vickery, Esq. of *Bobrowski & Vickery, LLC* appealing the response of the City of Boston (City) to a request for public records. G. L. c. 66, § 10A; see also 950 C.M.R. 32.08(1). On March 28, 2022, Attorney Vickery requested five categories of records relating to the “Mayor’s Rent Stabilization Advisory Committee.”

Prior Appeal

The requested records were the subject of a prior appeal. See SPR22/0857 Determination of the Supervisor of Records (April 27, 2022). In my April 27th determination, I ordered the City to produce a response. On April 28, 2022, the City responded. Unsatisfied with the City’s response, Attorney Vickery petitioned this office and this appeal, SPR22/1001, was opened as a result.

The Public Records Law

The Public Records Law strongly favors disclosure by creating a presumption that all governmental records are public records. G. L. c. 66, § 10A(d); 950 C.M.R. 32.03(4). “Public records” is broadly defined to include all documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any town of the Commonwealth, unless falling within a statutory exemption. G. L. c. 4, § 7(26).

It is the burden of the records custodian to demonstrate the application of an exemption in order to withhold a requested record. G. L. c. 66, § 10(b)(iv); 950 C.M.R. 32.06(3); see also Dist. Attorney for the Norfolk Dist. v. Flatley, 419 Mass. 507, 511 (1995) (custodian has the burden of establishing the applicability of an exemption). To meet the specificity requirement a custodian

Shawn A. Williams, Esq.
Page 2
May 12, 2022

SPR22/1001

must not only cite an exemption, but must also state why the exemption applies to the withheld or redacted portion of the responsive record.

If there are any fees associated with a response a written, good faith estimate must be provided. G. L. c. 66, § 10(b)(viii); see also 950 C.M.R. 32.07(2). Once fees are paid, a records custodian must provide the responsive records.

Current Appeal

In his current appeal, Attorney Vickery suggests that the City has additional responsive records.

The City's April 29th response

In the City's April 29, 2022, response it stated that it did not have responsive records for four out of the five categories in the request. Regarding the fifth category in the request which was a request for emails from March 11, 2022 to March 14, 2022, the City only provided a single email.

Based on the City's response, it is unclear if it possesses additional records responsive to the above request. The duty to comply with requests for records extends to those records that exist and are in the possession, custody, or control of the custodian of records at the time of the request. See G. L. c. 66, § 10(a)(ii).

Conclusion

Accordingly, the City is ordered to provide Attorney Vickery with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations within ten (10) business days. A copy of any such response must be provided to this office. It is preferable to send an electronic copy of this response to this office at pre@sec.state.ma.us.

Sincerely,



Rebecca S. Murray
Supervisor of Records

cc: Peter Vickery, Esq.

EXHIBIT F

City of Boston Public Records Office City Public Records Request :: R000939-032822

City of Boston <CityofBoston@govqa.us>

Thu 9/8/2022 9:35 AM

To: peter.petervickery.com <peter@petervickery.com>

Cc: manza.arthur@sec.state.ma.us <manza.arthur@sec.state.ma.us>

--- Please respond above this line ---



City of Boston
Shawn A. Williams, Esq.
Director of Public Records

09/08/2022

RE: PUBLIC RECORDS REQUEST of March 28, 2022, Reference # R000939-032822

Dear Peter Vickery, Esq.:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law*, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

Dear Records Access Officer:

I represent MassLandlords, Inc. On behalf of my client, and pursuant to section 10 of chapter 66 of the Massachusetts General Laws and Chapter 121 of the Acts of 2016, I hereby request that you supply copies of any and all public records (including emails) relating to:

- 1. The decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC);*
- 2. Solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls;*
- 3. Selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates;*
- 4. All invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation;*
- 5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or cc'ing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):*

a. kathy@bostontenant.org

b. contactnasrce@nasrcc.com

c. justice@cpasf.org

d. edorcehj@urbanedge.org
e. dermotdoyne@gmail.com
f. ceherbert@gmail.com
g. info@abundanthousingma.org
h. nahf@saveourhomes.org
i. bkavoogian@natdev.com
j. curtis.kemeny@aol.com
k. ksykes@accordiare.com
l. joek@macde.org
m. dmturner@clvu.org
n. info@hyamsfoundation.org
o. jeanne.pinado@colliers.com
p. mimi.neunited4justice@gmail.com
q. megan.sandel@bmc.org
r. csmart@onyxboston.com
s. ldsongoo@yahoo.com
t. steil@mit.edu
u. cvillers@masssenioraction.org
v. joshzakim@gmail.com
w. ksherman@relatedbeal.com

If the scope of my request is not clear, please let me know at your earliest convenience. I note Governor Baker's memorandum dated July 30, 2015, regarding best practices for responding to public records requests and respectfully ask that in the spirit of the memorandum you waive search and retrieval fees. In addition, with regard to copying, if you expect that the cost of compliance will exceed \$10.00 please provide a written, detailed, good faith estimate of the cost.

Sincerely,

Peter Vickery, Esq.

[SPR22/0857] [SPR22/1001]

A response has been provided to this request, dated April 27, 2022. Should you have further questions please do not hesitate to reach out to me directly at shawn.williams@boston.gov.

Very truly yours,



Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer
09/08/2022

Peter Vickery, Esq.
27 Pray Street, MA

Amherst, MA 01002

RE: Public Records Request R000939-032822 submitted to City of Boston on March 28, 2022

Dear Peter Vickery, Esq.,

The City of Boston (City) has received your request for public records from the Mayor's Office . This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law* , p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

Dear Records Access Officer:

I represent MassLandlords, Inc. On behalf of my client, and pursuant to section 10 of chapter 66 of the Massachusetts General Laws and Chapter 121 of the Acts of 2016, I hereby request that you supply copies of any and all public records (including emails) relating to:

- 1. The decision to establish the Mayor's Rent Stabilization Advisory Committee (RSAC);*
- 2. Solicitation of suggestions for potential members of the RSAC, including but not limited to the content of all press releases, op-eds, letters to the editor, advertisements, emails, text messages, chat messages, and robocalls;*
- 3. Selection of the members of the RSAC, including a sample authorization to complete background check, list of material required, and scoring sheets or rubrics to evaluate candidates;*
- 4. All invitations to join the RSAC, including the manner (email, letter, phone call, text messages, app messages, or other) and the content of each and every invitation;*
- 5. For the period March 11, 2021 through March 15, 2022, all emails to, from, or cc'ing City email systems in connection with each of the following, either de-duplicated or not (whichever way requires less work):*

- a. kathy@bostontenant.org*
- b. contactnasrcc@nasrcc.com*
- c. justice@cpasf.org*
- d. edorcely@urbanedge.org*
- e. dermotdoyne@gmail.com*
- f. ceherbert@gmail.com*
- g. info@abundanthousingma.org*
- h. naht@saveourhomes.org*
- i. bkavoogian@natdev.com*
- j. curtis.kemeny@aol.com*
- k. ksykes@accordiare.com*
- l. joek@macdc.org*
- m. dmturner@clvu.org*
- n. info@hyamsfoundation.org*
- o. jeanne.pinado@colliers.com*
- p. mimi.neunited4justice@gmail.com*
- q. megan.sandel@bmc.org*
- r. csmart@onyxboston.com*
- s. ldsong00@yahoo.com*
- t. steil@mit.edu*
- u. cvillers@masssenioraction.org*
- v. joshzakim@gmail.com*

w. ksherman@relatedbeal.com

If the scope of my request is not clear, please let me know at your earliest convenience. I note Governor Baker's memorandum dated July 30, 2015, regarding best practices for responding to public records requests and respectfully ask that in the spirit of the memorandum you waive search and retrieval fees. In addition, with regard to copying, if you expect that the cost of compliance will exceed \$10.00 please provide a written, detailed, good faith estimate of the cost.

Sincerely,

Peter Vickery, Esq.

[SPR22/0857] [SPR22/1001]

Response : Full Release

The City will review your request and will provide a response once the review of your request is complete.
Yours truly,



Shawn A. Williams, Esq.

Director of Public Records

Records Access Officer

City of Boston

One City Hall Square

Boston, MA 02201

publicrecords@boston.gov