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Boston may finally enforce ban on more than four students living together

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By **Matt Rocheleau**

GLOBE STAFF JULY 18, 2016

Boston officials are making a series of regulatory changes intended to help them crack down on landlords who pack off-campus apartments with too many students.

The changes could allow the city for the first time to enforce an eight-year-old rule barring more than four undergraduates from living together, officials said.

But neighborhood activists said they doubted the city's commitment to the rule.

“It certainly seems that the city has not wanted to enforce the no-more-than-four rule,” said Richard Giordano, community organizing director at the Fenway Community Development Council. “Hopefully, now, they can put together something that can address this.”



The rule, adopted in 2008, bars more than four undergraduates from living together in off-campus apartments. But the city has [never](#) successfully cited anyone for breaking it, even though, as the Globe Spotlight team [detailed](#) two years ago, violations are believed to be common.

Spotlight: Shadow Campus

Meanwhile, residents have [voiced concerns](#) that student overcrowding has created safety and quality-of-life issues and driven up rents. And the city's long-term solution — building more dormitories — is still more than a decade away from completion.

“The prices of housing are rising, investors are driving out owner-occupants, and the city is doing nothing about it,” said Brighton resident Joanne D’Alcomo, an attorney and member of the Allston Brighton Community Development Corporation’s neighborhood stabilization task force.

City officials said [last fall](#) that the no-more-than-four rule

is unenforceable, partly because they had no easy way of identifying where units were in violation.

Now, the officials say, they have a solution.

“We’ve found a way to make this punitive, and we think this will take it to another level,” said William Christopher, commissioner of the Inspectional Services Department.

“Our goal is never to write violations,” he said. “The priority is always to make sure housing is safe.”

City officials want landlords to report the number of undergraduates living in each unit. Landlords would report that information when they register each unit annually, which is a [requirement](#) the city established in 2013.

The City Council and Mayor Martin J. Walsh approved an ordinance in March that was supposed to establish the reporting requirement. But the wording of the ordinance appeared to establish different rules than what city officials had intended.

After questions from the Globe, city officials said they would review the language and update it, if necessary.

“Reading it on the surface, it does sound confusing,” said Christopher, whose department drafted the ordinance with help from other officials.

In March, the City Council and Walsh also approved updates to another ordinance that imposes a reporting requirement not on landlords, but on colleges.

Colleges are required to submit lists of the off-campus addresses where their students live. City officials said they were moving to resolve problems that arose in the past when schools submitted the address data in varying formats, and at different times, which made it difficult for city officials to organize and use.

“We had some real problems with the way we were getting data,” Christopher said.

He said the city has another legal tool it can use to address overcrowding: Inspectors can look for

violations of state sanitary regulations that set minimum standards for bedroom and living space per occupant.

To that end, the city will start building a database of the size of apartments by having workers who are conducting inspections use laser-equipped devices that can quickly measure the square footage of rooms.

Christopher said he expected to go before the City Council with even more proposals related to student housing within weeks. One thing he wants is to make it easier for inspectors to get access to units.

There are potential hurdles.

The student-tenant reporting requirement relies on landlords to use the annual apartment registration system, which many of them have [ignored](#) since it was created three years ago.

“We still have some due diligence to do to make sure we get all these units registered,” Christopher acknowledged. He said the city has made repeated efforts, via mail, advertising, and other methods, to remind landlords to register

The reporting requirement also asks landlords to voluntarily admit to a violation of the no-more-than-four rule.

“What landlord is going to raise their hand and say, ‘The number of undergraduates we have living here violates [rules]?’” D’Alcomo said.

Christopher said he expected landlords would be forthcoming and that his office would look for discrepancies between data reported by colleges and data reported by landlords.

If any data the city collects suggest that a unit is in violation of the no-more-than-four rule or of state rules on overcrowding, the city will cite landlords, he said.

He said that the city would never remove students from such housing without having another place for them to live.

“We work very closely with the landlords and the universities to make sure students are placed properly as things go along,” he said.

“The last thing we want to see happen are to see students thrown out. We haven’t done that, ever.”

Councilor Mark Ciommo, who represents student-dense Allston-Brighton, said he hoped the new rules would have a positive impact.

“I really do think we’re going to get landlords’ attention on this,” he said. “We’re going to be using data — real data — to target resources more efficiently and effectively to root out these potential problems.”

“But the proof will be in the pudding,” Ciommo added.

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