

393 Highland Condominium Rules and Regulations

The following Rules and Regulations have been adopted by the Trustees to facilitate the common safety and enjoyment of the property. They do not replace the master deed and bylaws, which the Trustees use as the primary governing documents. In establishing and maintaining the rules, the Trustees make every effort to ensure that unit owners' right to the enjoyment of their property or privileges of ownership remain protected. Any action or conduct that, in the Trustees' opinion, violates unit owners' right to the enjoyment of their property is prohibited, and the Trustees may impose fines for such violations. The Rules and Regulations apply to all owners, tenants, visitors, and workers, and owners are responsible for communicating these rules to the appropriate parties. The Trustees may make changes or additions to the Rules and Regulations from time to time.

The revised Rules and Regulations contained in this document were adopted by the Trustees at a meeting held on 31 August, 2022.

All forms references in this document are available at <https://tinyurl.com/st5v9f9> or by contacting the Trustees at 393broadwaycondotrust@gmail.com.

1. Building Description, Management, and Governance

The Highland Condominium at 393 Broadway was built in 1935 and contains 32 total units on five individual floors (including the superintendent's unit in the basement). There are three sets of stairs and the original elevator to move between the floors, and a single set of stairs to access the common roof deck.

The building is maintained by a live-in superintendent, Sam Davis, who also serves as building manager. He ensures proper upkeep of the building's infrastructure and common spaces.

Superintendent Contact Information:

Phone: 857-998-8561 Email: sam@samdavis.com

Trustees Contact Information:

The Trustees are responsible for the governance and administration of the building as per the bylaws.

Email: 393broadwaycondotrust@gmail.com The superintendent can also assist owners and residents in contacting the Trustees.

2. Condominium Fee

The condominium fee is due on the first of each month and is subject to a late fee of \$25 if paid after the fifth of each month. Returned checks are subject to a \$25 fee. Checks should be made payable to 393 Broadway Condominium Trust and deposited through the mail slot of the condominium office, which is located on the basement level past the superintendent's quarters. Checks may also be mailed to Building Superintendent, c/o Sam Davis, 393 Broadway, Cambridge, MA 02139.

3. Moving In or Out of Condominium and Moving In or Out of New Furniture and Appliances:

Timing and Fees: While fees are only collected upon move-in, it is required that at least one week prior to any move-in or move-out, new or departing residents must file a moving form with the superintendent. Failure to notify the superintendent will result in a \$200 fine to the owner. A non-refundable move-in fee of \$300 will be assessed to the unit owner on entry of new residents to help defray wear and tear on the elevator, doors, hallways, and landscape.

All moving must be conducted Monday through Friday between the hours of 7:00 a.m. and 8:00 p.m. and on weekends and holidays between the hours of 9:00 a.m. and 8:00 p.m. If there are specific circumstances that require moving outside these hours, permission must be sought from the Trustees one week prior to the scheduled move. Reserved parking spaces for trucks or vans may be obtained through the Department of Public Works by filing the appropriate papers and paying the fees.

Security Considerations: The superintendent can advise about the best entrance to use for moving. Under no circumstances should the inner doors be left open and unattended during a move. Doors may be propped open for a limited period of time during the move, but they must be constantly monitored to ensure that there is no unauthorized entry into the building.

Clean-Up: The superintendent maintains the common spaces, but is not responsible for cleaning up following a move. All moving materials must be removed from the building or disposed of in the appropriate recycling receptacles in the basement. The common areas should be swept or mopped if necessary. A resident who moves out must remove all items from the unit and storage unit in the basement and dispose of them properly. This requirement includes furnishings, trash, food, plants, and boxes. Curbside disposal of larger objects (such as furniture, mattresses, and appliances) can be arranged through the Department of Public Works, or a private disposal company can be used. The superintendent can provide any additional information on appropriate disposal methods.

Damages: The cost of any damage to the building, including but not limited to the floors, stairs, elevator, and doors, will be assessed to the unit owner. Blankets, dollies, and other moving aids should be used whenever possible to minimize the risk of damage to the building. The elevator should be used for moving heavy objects on a limited basis only. See Section 8 below for more information.

4. Building Security:

Guests: In order to maintain the security of the building, residents should not allow access to the building to unknown individuals. Guests should be let in only by their host, and at no time should the building entry door be left open.

Side Doors: None of the side doors are intended as a primary means of entrance to the building. The side doors should be used on a limited basis for appropriate circumstances (e.g., moving something to and from a storage unit), and should never be left unlocked or unattended.

When securing the side doors, the bolt-lock must be in the locked position and the door must be completely shut. In addition, contractors should never be instructed to use the side doors as a means of entrance or exit. All contractors and guests should use the main entrance to the building and should only be let into the building by the contracting or hosting resident.

5. Emergency Access to Units:

Owners must provide a set of keys to the superintendent so that the superintendent or Trustees can gain access to the unit in the event of an emergency. Unit keys are kept in a locked cabinet in a locked room on the premises, and only the superintendent and the Trustees have access to them.

6. Parties in Residence:

Owners are responsible for notifying the superintendent or Trustees of all changes to the occupancy of their individual units. Notification should include the residents' names and contact information.

7. Fire and Carbon Monoxide Alarms and Other Emergencies:

Building Alarms: The fire alarm is not wired directly to the fire department. In the event a fire alarm is sounded, residents must vacate the building immediately and contact the fire department (911). Residents should gather across Broadway on the south side of the street at the corner of Crawford, if it is safe to do so.

There are fire alarm pull stations throughout the building. Residents should use their discretion in the use of the alarms but should not hesitate to sound an alarm if they believe there to be signs of a fire anywhere in the building. Residents who smell gas anywhere in the building should also call 911.

Unit Detectors: Massachusetts law requires residents to have smoke and carbon monoxide detectors in their units. It is the responsibility of owners to ensure that their unit fire alarms and carbon monoxide detectors are tested on an annual basis.

Other Emergencies: Residents must notify the superintendent immediately whenever an emergency arises that impacts other units (such as plumbing leaks).

8. Use of the Elevator:

Due to the age of the elevator, it should be used for moving heavy objects on a limited basis only. Although the listed capacity is 1500 pounds, the elevator is extremely sensitive to weight and should only be used to move the equivalent of four adults. The elevator operates on contacts located in the upper corner of the elevator door. The door must be shut completely for the contacts to engage and allow the elevator to move between the floors.

9. Common Spaces:

Any areas defined in the master deed as common spaces are maintained by the superintendent and the Trustees for the benefit of building residents.

Storage: It is a violation of the fire code and the building insurance policy to store anything in the common spaces, including hallways, stairways, landings, roof decks, or outdoor spaces. Items stored in these spaces will be discarded.

Doors and Entrances to Unit: One hall doormat is permitted at the entrance to each unit. Items such as boots, umbrellas, and other objects may not be left in the hall. Nothing may be affixed to external-facing doors with the exception of seasonal decorations. Door exteriors may not be repainted, punctured or modified without permission from the Trustees.

Lobby: Mailboxes should be emptied on a daily basis, and all bulk mail from the designated boxes on the

foyer table should be removed. The blue recycling bin may be used to discard unwanted catalogs or other paper mailings. No garbage may be placed in the recycling bin. Packages must be picked up promptly. The building is not responsible for the loss or theft of packages. Residents are encouraged to bring packages for units 3-32 from the lobby to the first floor across from the elevator (units 1 and 2 have a separate entrance).

Roof Deck: The roof deck is for the common enjoyment of the residents (and their accompanied guests). The capacity is 22 people. No person under the age of 18 is permitted to use the deck unless accompanied at all times by a resident. Residents must remain within the designated deck area at all times and no one should stand or sit on the railings. No smoking, cooking, candles, or fires of any kind are allowed. No glass containers of any kind may be used on the deck. Trustees may remove any item from the roof deck that, in their view, is unsafe or a detraction from the enjoyment of the deck. See additional guidelines posted on the stairway to the roof.

Front Garden: The hedged-in area in the front of the building is designated for the common enjoyment of building residents. Activities in the front garden should be limited to those that do not cause damage to the grass or hedges, and are appropriate for an open common space. Animals are not allowed in the front garden. No signs or banners may be placed in the front garden or any other common exterior spaces, including, but not limited to real estate signs for unit sales and rentals.

10. Pets:

Up to two cats are permitted per unit as long as they pose no threat to the health and well-being of other residents. Dogs are not allowed. Tenants must receive owner approval to have pets in the unit. Trustees follow the U.S. Department of Justice regulations for service animals under the Americans with Disabilities Act (ada.gov).

11. Noise:

The building is an old steel frame building with no insulation in the walls or floors to reduce sound. It is therefore crucial that residents be considerate of neighbors and avoid activities that are excessively noisy. Residents are encouraged to use area rugs, and wear slippers or rubber-soled shoes while walking around their units. Sound from televisions or speakers should be kept as low as possible.

Quiet Hours: During the hours of 10:00 p.m. to 7 a.m. on weekdays and 12:00 a.m. to 9:00 a.m. on weekends, noise must be kept to an absolute minimum.

Parties and Large Gatherings: Residents who are planning a large party or gathering should notify their neighbors in advance and endeavor to end the engagement by 12:00 a.m. on weekends and 10:00 p.m. on weekdays.

12. Other Prohibited Items and Actions:

Lockboxes: Attaching lockboxes anywhere on the premises is prohibited.

Liquid-Filled Items: No liquid-filled furniture or receptacle containing more than 10 gallons of liquid is permitted without prior written consent of the Trustees.

Odors: Residents may not allow odors emanating from their units to impact on the quality of life of other residents. Examples include strong smells of incense or of cooking odors.

Plumbing: Because of the age of the plumbing, chemical products (i.e., Draino) must not be used to clear blockage. Only toilet paper should be flushed down the toilet (wipes labeled “flushable” are not safe for our plumbing). No coffee grounds or food should go down the kitchen sink. If a natural method such as baking soda and vinegar does not work, please notify the superintendent, who can arrange for a service visit. The unit owner is responsible for the cost unless the problem is not limited to the unit.

Signs and Other Attached Objects: No signs, banners, or other devices (with the exception of air conditioning units) may be attached to units on the inside or outside of windows.

Smoking: No smoking of any kind, including the use of electronic smoke devices, is permitted anywhere in units, the building, or common outdoor spaces including the front garden, the back of the building, and the roof deck.

13. Laundry Room Use:

The coin-operated laundry facilities located in the basement level of the building are for the exclusive use of residents. The machines should be used in accordance with the operating instructions. Residents should remove the lint from the dryer filter after each use and wipe down the washing machines so that any residual liquids such as bleach are removed.

Clothes should not be left in machines once the washing or drying cycles are complete. Residents who find a finished machine left full are permitted to place the clothing on top of the machine or on the table in the middle of the laundry room and start their own washing or drying. Clothes left unattended for several days may be disposed of by the superintendent. Problems with the machines or their use by other residents should be reported to the superintendent.

14. Waste Removal:

Garbage: There are garbage closets on each floor for trash collection. The superintendent picks up garbage from the trash closets throughout the week, and replenishes the trash cans in the closet with new trash bags. Residents should place only properly sealed bags in the trash closet and should never place open food products. Broken glass and other potentially dangerous trash should be placed in brown paper bags, marked with the contents, and left on the floor of the garbage closet next to the trash can.

Recycling: Recycling in Cambridge is mandatory, and residents are responsible for recycling their own materials in the toters provided in the basement. There are recycling instructions posted on the bulletin board next to the elevator on the basement level. To reduce rodent infestations and unpleasant odors associated with the volume of containers in our recycling area, residents should thoroughly wash out and dry all recyclables prior to depositing them in the basement. When placing boxes in the recycling toters, residents should flatten the boxes and cut as needed in order to maximize space.

Composting: Containers and bags for composting have been distributed to residents. The following can be composted: food scraps (fruits, vegetables, eggshells, bones, breads and grains, and dairy), cut flowers, tea bags, coffee grounds and filters, napkins, and paper towels. Tied bags should be placed in the green toters located on the Highland Street side of the building by the green shed for Wednesday pick-up.

City Garbage and Recycling Pick-Up: Residents may deposit garbage curbside in properly sealed bags for Wednesday pick-up. Bags should be left curbside on the Highland Street side of the building by the green shed. The Department of Public Works in Cambridge (CambridgeMA.gov) can provide additional information about the city’s recycling program.

15. Storage Units:

Residents are responsible for cleaning and maintaining their individual storage units. Units should be clearly labeled with the appropriate unit number and should be swept clean on a periodic basis. Nothing may be stored in the area outside the units. Units must remain locked and the lights must be turned off. Units should not be used to store food of any kind, combustibles, or other hazardous materials.

16. Resident Travel and Vacations:

Residents who will be away for a week or more should let the building superintendent know in case any emergency arises. For arrangements to have mail withheld, see usps.com. Newspapers and packages must also be withheld or picked up by someone else.

17. Miscellaneous:

Shower curtains are required on both sides of the tub (two in total). The shower curtains should be water resistant and placed on the inside of the tub so that running water does not drip onto the bathroom floor or collect on the sill of the bathroom windows.

All storm windows in a unit should be lowered in colder months to preserve heat; they should be closed year-round when residents are away for extended periods.

18. Repairs and Renovations:

Owners should carefully review the appended Requirements for Renovation/Remodeling before submitting a renovation request form.

19. Tenants and Leases:

Owners who rent their units are required to provide their tenants with a copy of the bylaws and the Rules and Regulations with their lease, and to include in their lease a provision that the tenant agrees to abide by these documents. Owners will be held responsible for any violations of these rules or the bylaws by a tenant. Failure of tenants to comply with the Rules and Regulations will subject owners to fines up to \$300 monthly. Unpaid assessed fines may result in liens recorded against owners' properties.

A. Rules for Rental of Units:

1. Units rented to tenants must be by written lease for a period of not less than six months. Owners are encouraged to use as the basis an industry-recognized standard lease such as the Simplified Fixed-term Lease issued by the Greater Boston Real Estate Board.
2. Owners are strictly prohibited from using businesses and services such as Airbnb, HomeAway, Craigslist, or other web-based platforms providing short-term rental of any part of their unit or any property located on the 393 Broadway premises.
3. New leases between owner and tenants must be submitted to the Trustees for review and approval prior to acceptance of new tenants. The review by the Trustees is to be done promptly and approval will be given so long as the lease meets the conditions in checklist B below.
4. At no time will the building management take responsibility for managing rental units.

5. Occupancy may not exceed two tenants per studio or one-bedroom unit or four tenants per two bedroom unit. The owner is responsible for notifying the Trustees of any change in occupancy.
6. Owners must notify the Trustees if a unit is untenanted for more than three weeks.
7. Owners should notify the Trustees if a legal action (i.e., involving a tenant) has been initiated.

B. Checklist for items that must be included in leases:

1. Names of all occupants, maximum occupancy, and notice that no other occupants may live in the unit without authorization from the owner
2. Acknowledgement of receipt of the bylaws and the latest Rules and Regulations of the 393 Broadway Condo Association Trust and agreement to abide by them
3. Prohibition to assign or sublet the entire space or any room within the unit they occupy or to allow any other person to occupy the premises without specific consent of the Trustees
4. Notice that tenants are strictly prohibited from using businesses and services such as Airbnb, HomeAway, Craigslist, or other web-based platforms providing short-term rental of any part of their unit or any property located on the 393 Broadway premises
5. Statement of the noise policy
6. Statement of the pet policy
7. Statement of the no-smoking policy
8. Policy on securing renter's insurance
9. Notification to superintendent of any emergencies that impact other units, such as plumbing leaks
10. Proper lead paint notification as an addendum to the lease, as required by federal law
11. Notice that Massachusetts law requires residents to have fire and carbon monoxide detectors in their units, which must be tested annually

C. Checklist for items that owners should consider for inclusion in leases (some of these are contained in the Rules and Regulations):

1. Specification of the move-in fee, unless paid solely by the owner
2. Procedure for minor and major repairs (permission, scheduling, and payment)
3. Policy on move-in and move-out building procedures and requirements

20. Insurance:

Owners are required to have property and liability insurance.

21. Refinancing documentation requests:

Requests made to the Trustees to complete mortgage questionnaires will incur a \$150 fee payable to the 393 Broadway Condo Trust by the requesting bank.

ADDENDUM 1

393 Broadway Condo Association Requirements for Renovation/Remodeling

Request and Approval: Requests can be submitted via the [online Repairs/Renovations Request form](#) or in person by leaving a copy in the office next to the building superintendent's unit in the basement. For kitchen and bath renovations requiring plumbing, renovation requests must be filed at least one month prior to the planned start of work. For all other renovations and repairs, the form must be submitted at least two weeks in advance of work start date.

Approval by building superintendent and Trustees is required before proceeding. Once the project is approved, owners are responsible for obtaining the appropriate city permits and approvals. Deviations from approved renovation plans require the submission of a new renovation form and approval of the changes. Minor improvements such as painting or redecorating do not require approval. The rules below apply to minor improvements as well.

All contractors working in the building should be licensed and insured as required by the Cambridge Inspectional Services. A copy of the current insurance needs to be submitted with the renovation request form. The owner commissioning work assumes responsibility to bear all costs related to damage to the building or other units caused by the renovation.

Renovation boundaries: Load-bearing walls may only be modified as a mitigating response to an issue with the structural integrity of the building identified by a structural engineer. If the issue is contained within the unit, the unit owner pays for all expenses. Except as a response to structural integrity, removal or reduction in the area of any load-bearing wall is prohibited. Renovations may not extend beyond the unit boundaries. If unit conduits need to be replaced through common areas, they must follow the track of the original conduits.

Common areas: The condo association maintains standards and procedures for electricity, plumbing and construction work in and around the basement and other common areas. No work in common areas can be done without prior contact and meeting with the building superintendent. Common area conduits (i.e., plumbing and electrical) may only be added or modified in the interest of building safety, improvement, or maintenance. All common areas accessed during a renovation project should be left clean immediately after use.

The cost of any damage to the common areas, including but not limited to the floors, stairs, elevator, and doors, will be assessed to the unit owner.

Plumbing: The building is old and the plumbing is fragile, and therefore requires preventative maintenance. Anytime a wall containing common pipes is opened during a repair or renovation, the Trustees require inspection, and repair if needed, of those pipes. The Trustees will coordinate with unit owners and contractors to ensure that this work is accomplished before unit plumbing updates are implemented.

Substantial changes to the plumbing network beyond repairs or renovations of existing pipes are not permitted.

Water shut off requires at least 24 hours advance notice to the building superintendent.

Electrical: Updates to electric circuit boxes in the basement and secondary boxes in apartments must be planned with the building superintendent before any work begins in our common basement area. Wiring through common areas, must follow the track of the original conduits.

Windows: [Window replacement](#) and [external vents](#) are standardized for our association. Please communicate with the building superintendent or Trustees for standards that we have approved for these renovations.

Working Hours and Noise: All repairs and renovations should be conducted Monday through Friday between the hours of 9:00 a.m. and 5 p.m. No work may be conducted on weekends or federal holidays. If there are specific circumstances that require working outside of these hours, permission must be sought from the Trustees one week prior to the scheduled project. Contracting residents should notify their neighbors of any potential for increased noise or dirt.

Security Considerations: The contracting resident is responsible for letting workers into the building. Residents are discouraged from giving keys to workers. If special circumstances (e.g., work occurring while the resident is away, before the resident moves in, or requiring the resident to live elsewhere during the project) necessitate that workers have keys, the superintendent or Trustees must be notified. Workers must use the main entrance to the building (and not any side door) unless the superintendent indicates otherwise. Under no circumstances should the security doors be left open and unattended during a repair or renovation project.

Clean-Up: The superintendent maintains the common spaces, but he is not responsible for cleaning up during or after a repair or renovation project. The contracting resident is responsible for ensuring daily cleanup of any common areas affected by the work, including sweeping and mopping the hallways, stairs, elevator, and foyer, and for ensuring proper disposal of trash associated with the project. Materials used for ongoing repair or renovation projects should be stored in the resident's unit and not in common areas, including the hallways and basement.

Fines: Failure to comply with these requirements may result in work stoppage and/or fine of \$2,500.