

HOUSE No. 5408

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

REPORT
of the
SPECIAL JOINT
COMMITTEE
on
INITIATIVE PETITIONS
on the
INITIATIVE PETITION
of
ADAM GOMEZ
AND OTHERS
FOR THE PASSAGE OF AN ACT
TO PROTECT TENANTS BY
LIMITING RENT INCREASES
(see House, No. 5008)

May 4, 2026.

MAJORITY REPORT.

A majority of the Special Joint Committee on Initiative Petitions

Article 48 of the Amendments to the Constitution of the Commonwealth allows voters to propose laws or constitutional amendments through initiative petitions, commonly called ballot questions. After gathering the required signatures and submitting certified signatures to the Secretary of the Commonwealth, a petition is formally presented to the Legislature for consideration. It is then referred to a committee, in this case, the Special Joint Committee on Initiative Petitions.

Under Article 48, the committee must report to the Legislature on each petition before the first Wednesday in May. Unlike the standard legislative process, the Legislature may only approve or reject an initiative petition as submitted, without making changes.

The Committee held a hearing on Initiative Petition 25-21, House 5008, *Initiative Petition to Protect Tenants by Limiting Rent Increases*, on March 17, 2026. The Special Joint Committee on Initiative Petitions held public hearings throughout March 2026 to gather testimony and inform its review. The Committee considered input from subject matter experts, proponents and opponents of the Petition, as well as members of the public. The full hearing record and supporting documentation, is available to the public at malegislature.gov/Events/Hearings/Detail/5598.

On May 4, 2026, a majority of the Special Joint Committee on Initiative Petitions (“the Committee”) voted to recommend that the General Court **take no action** on Initiative Petition 25-21, House No. 5008, *Initiative Petition to Protect Tenants by Limiting Rent Increases* (“the Petition”).

In reaching this determination, the Committee conducted a comprehensive review of the proposed measure, including a detailed analysis of its language, structure, and intended effect. The Committee evaluated testimony and supporting evidence presented during the public hearing, as well as additional written submissions from policy experts, housing advocacy organizations, and members of the public.

This Petition would limit the increase of residential rent charged to a tenant to a year-over-year growth of no more than 5%, or the equivalent percentage of the annual increase in Consumer Price Index (CPI), whichever is the lower value. The law would not apply in the following situations: to units in owner-occupied buildings with four or fewer units; to units that are subject to regulation by a public authority; to units rented to transient guests for periods of less than 14 days; to units operated for educational, religious, or non-profit purposes; and to units that received their residential certificate of occupancy within the last 10 years.

In an effort to prevent new home construction from stalling, the Petition also exempts rent control from applying to units that have received a certificate of residential occupancy in the previous 10 years.

This Petition would apply in every community statewide, which is distinct from the most recent authorized rent regulation in Massachusetts from 1970 that allowed communities with over 50,000

residents to control rent increases. Unlike past practice, this Petition would apply equally to every community in the Commonwealth, with no provision for a municipality to opt-in or opt-out, or to establish a community-specific maximum allowable rent increase.

The expert testimony provided compared this Petition with the existing laws of three other states, noting that this Petition would provide Massachusetts with the lowest allowable rent increase, no vacancy decontrol, and the shortest amount of exemption for new construction. The proponents of this Petition argue that this would be the strongest legislation to confront the increasingly severe rate of increase in cost that renters are seeing statewide. Opponents in the hearing testified that the restrictive nature of this Petition could stifle home construction and lead property owners, especially those with a small number of units, to convert rental units to condominiums, further exacerbating the challenges of gaining access to housing in Massachusetts.

It is important to note that Article 48 of the Amendments to the Massachusetts Constitution, which governs the initiative petition process, requires the Attorney General to provide initial certification of initiative petitions that meet the specific and limited requirements listed in Article 48. In making a decision on whether to initially certify an initiative petition, the Attorney General does not evaluate a petition's broader constitutionality; her certification decision is limited only to the narrow criteria listed in Article 48. Thus, this Petition has been certified by the Attorney General under Article 48, but it has not been evaluated by her or the courts for its constitutionality at this time.

Members of this Committee acknowledge that there is a housing crisis across the Commonwealth that will likely take many different public- and private-sector solutions to fully address. While there are members of the Committee who agree with the concept of rent stabilization, given the complexities of the housing market and the issues raised by the expert, proponents, and opponents of this Petition as written, a majority of the Committee recommends that the General Court **take no action** on Initiative Petition 25-21, House No. 5008, *Initiative Petition to Protect Tenants by Limiting Rent Increases*.

Senators.

Cindy F. Friedman
Brendan P. Crighton
Paul R. Feeney
Barry R. Finegold

Representatives.

Alice Hanlon Peisch
Kate Hogan
Frank A. Moran
Michael S. Day
David T. Vieira