

# City of Boston

## Article 80 Direct Displacement Disclosure

### City Guidelines on Priority Populations and Tenancies

The City of Boston is committed to stabilizing residents, small businesses, small arts organizations, and cultural operators. As part of *A Place to Thrive*, Boston's first citywide anti-displacement action plan, the City is piloting a new Direct Displacement Disclosure to be filed as part of the Article 80 Development Review process.

The Disclosure will help ensure tenants and the City are notified of any direct displacement impacts of a proposed development. The process is also intended to minimize the disruption to tenants' lives and livelihoods.

### PRIORITY POPULATIONS AND TENANCIES

The City of Boston developed this document to provide guidance to project proponents and community on expectations of support for tenants directly displaced as the result of a proposed development.

These guidelines are applicable during the pilot, and may be updated at its conclusion. While they reflect priorities shared by residents and other stakeholders in past redevelopment projects, they do not preempt site or neighborhood-specific priorities elevated by the community during a project's engagement process.

### Small Business Tenants and Small Arts & Cultural Operators

The City strongly encourages proponents to support the relocation of "legacy" small businesses (that have received an [official City designation](#) or been in operation for 10+ years), particularly those that are highly valued by residents, *and* those businesses that serve an important community need, such as a pharmacy or health center, grocery store, laundromat, childcare provider or community serving nonprofit. The City defines small businesses as those with fewer than 50 employees OR less than \$5 million in annual revenue.

The City also strongly encourages proponents to support small community and arts nonprofits, cultural operators, including community theaters, community gathering spaces such as social clubs, performance, rehearsal, live music and recording venues, nightlife, and fabrication spaces including art studios.

## Guidance on Support for Priority Groups

POPULATION/TENANCY	SUGGESTED SUPPORT BY PROPONENT
<b>Legacy Business/10+ Years in Operation + High community value</b>	<ul style="list-style-type: none"> <li>• Support relocation (E.g. Realtor/Relocation Consultant, financial support for relocation expenses)</li> <li>• Feasible Option to Return (e.g. Tenant Improvement allowance, favorable rent terms)</li> </ul>
<b>Serves Priority Community Need</b> (E.g. Grocer, Pharmacy/Health, Laundromat, Childcare, Community serving nonprofit)	<ul style="list-style-type: none"> <li>• Feasible Option to Return (e.g. Tenant Improvement allowance, favorable rent terms)</li> </ul> <p>*City will advocate for replacement of use</p>
<b>Community Venue + 5+ Years in Operation + High Community Value</b> (e.g. Entertainment/rehearsal venue, theater, social club)	<ul style="list-style-type: none"> <li>• Support relocation (E.g. Realtor/Relocation Consultant, financial support for relocation expenses)</li> <li>• Feasible Option to Return (e.g. Tenant Improvement allowance, favorable rent terms)</li> </ul>

The City does NOT expect support to be provided to commercial tenants, small businesses or small operators under any of the following circumstances:

- If they are a national chain or franchise
- If they are 3+ months in arrears on their rent
- If the business/organization/proprietor are not in good standing with the City of Boston (City will verify)
- If they have past labor violations/credible evidence of unfair labor practices
- If they no longer wish to operate in Boston
- If they anticipate closing or had planned to close for reasons unrelated to the proposed redevelopment (e.g. retirement)
- If they are a liquor store, check cashing/payday lender, retail bank, professional services (real estate, law office), lab space

## Residential Tenants

The City strongly advises proponents to support the relocation of all residential tenants who do not voluntarily choose to relocate, with additional support provided to the populations listed below who face the greatest challenges to relocation. In addition, tenants should not be displaced in the 12 months prior to filing in anticipation of the redevelopment; if they are, the City strongly advises proponents provide them with support to withstand the displacement just as current tenants should be.

### Guidance on Support for Priority Groups

The City urges proponents to provide the following support to current tenants and tenants within the 12 months prior to filing, at a minimum.

<b>Priority (“Special”) Population Tenants</b>	<b>1. Households with a senior tenant age 62 or older, or 2. A tenant with a disability, and/or 3. A household with low income at or below 80% of AMI</b>
<b>Minimum Recommended Support to Above Tenants</b>	
A minimum of 12 months between notice of project and associated displacement and date to vacate, with lease extension if expiring for the full duration of that period at comparable terms (no more than 10% rent increase)	
Relocation support of \$15,000 per household	
Housing search assistance from the developer or their representative	
A preference for new income-restricted units for purchase or rent created on site, dependent on eligibility	

The City does not expect support to be provided to residential tenants under the following circumstances:

- Tenants who, as of the date of notice, had been given the option to renew their lease at a similar rent (no more than a 10% increase) and declined to do so; or
- Tenants who are in arrears of 3 months’ rent or more and have not entered into a payment plan or otherwise communicated with management to address the non-payment of rent; or
- Tenants who have received a fault eviction judgment in Housing Court.