STATEMENT OF CONDITION

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| TO | {{ other\_parties\_name }} |  | RE: | {{ unit\_address\_number }} | | | | | |  |
|  | *Landlord* |  | | |  | *Unit* *#* | |  | | | |
|  | {{ other\_parties\_address }} |  | | |  | {{ unit\_address }} | |  | | | |
|  | *Address* |  | | |  | *Address* | |  | | | |
|  | {{ other\_parties\_city }} | {{ other\_parties\_zip }} | | |  | | {{ unit\_city }} | | {{ unit\_zip }} | |
|  | *City* | *Zip* | | |  | *City* | | *Zip* | | | |

This is a statement of the condition of the premises listed above as of {{ signature\_date }} when I moved in. This statement of conditions should be provided to both {{ other\_parties\_name }} via {{ other\_parties\_email }} and {{ users\_name }} via {{ users\_email }}

**Moving In**

Is there a current tenant in the unit? {{ current\_tenant\_true }}

If there is a current tenant, what is their move out date? {{ current\_tenant\_moveout }}

Agreed move-in date: {{ move\_in\_date }}

Has the Landlord informed you of any planned repairs? {{ planned\_repairs }}

{%p if lead\_paint %}

There is lead paint in the unit. No lead paint may be used on any surface in repairs per [MA Code 410.502](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download) and if there are any children under the age of 6 the landlord must remove or properly cover any lead paint up to 5 feet within 24 hours. See [G.L. c. 111, § 197](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section197).

{%p endif %}

{%p if unit\_floor < 4 %}

All windows that open to the outside, on the first four floors, must have protective screens between April 1 and October 30, Ma Codes [410.551](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download) & [410.553](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download).

{%p endif %}

{%p if other\_units %}

If there are 3 or more units in the building, the landlord must provide watertight garbage cans convenient to tenants and do not allow for odors to enter the living space. Ma Code [410.600(C).](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

Additionally, in buildings with 3 or more units, the landlord is responsible for collecting and disposing of garbage. MA Code [410.601](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download).

{%p endif %}

**Kitchen**

{{ kitchen\_description }}

{{ kitchen\_pictures }}

{%p if kitchen\_sink %}

The kitchen is not up to code. There must be a kitchen sink, and the kitchen sink must be large enough to do dishes. The landlord must repair within 30 days. See MA Code [410.100](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if kitchen\_water %}

The kitchen is not up to code. There must be a kitchen sink, and the kitchen sink must drain water properly. The landlord must repair within 30 days. See MA Code [410.350(A)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if stove\_oven %}

The kitchen is not up to code. The landlord must provide a stove that is in good working condition, unless there is a written agreement requiring the tenant to provide a stove and oven. See MA Code [410.100(A)(2)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if stove\_oven\_working %}

The kitchen is not up to code. The stove and oven are not in good working condition. The landlord must repair within 30 days. See MA Code [410.351](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if fridge\_space %}

The kitchen is not up to code. There is not enough space and/or no proper outlet for installation of a refrigerator. The landlord must repair within 30 days. See MA Code [410.100(A)(](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)3)

{%p endif %}

{%p if fridge\_working %}

The kitchen is not up to code. The landlord installed refrigerator is not in good working condition. The landlord must repair within 30 days. See MA Code [410.351](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if kitchen\_floor %}

The kitchen is not up to code. The kitchen floor is not smooth, non-corrosive and waterproof. If carpeted it does not have a nonabsorbent and water-repellent backing and if wooden it is lacking a water resistant finish without cracks. The landlord must repair within 30 days. See MA Code [410.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)504

{%p endif %}

{%p if kitchen\_outlets %}

The kitchen is not up to code. The kitchen does not have at least one(1) working light fixture and two(2) wall outlets provided by the landlord. The landlord must repair within 30 days. See MA Code [410.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)351

{%p endif %}

**Bathroom**

{{ bathroom\_description }}

{{ bathroom\_pictures }}

{%p if bathroom\_sink %}

The bathroom is not up to code. There must be a bathroom sink, and the bathroom sink must be free of defects. The landlord must repair within 30 days. See MA Code [410.150(A)(2)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if bathroom\_toilet %}

The bathroom is not up to code. There must be a toilet, and the toilet must be free of defects. The landlord must repair within 30 days. See MA Code [410.150(A)(1)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if bathroom\_bath %}

The bathroom is not up to code. There must be a shower or tub, and the shower or tub must be free of defects. The landlord must repair within 30 days. See MA Code [410.150(A)(3)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if bath\_location %}

The bathroom is not up to code. The shower or tub are located in a room for living, sleeping, cooking or eating. The landlord has 30 days to repair. See MA Code [410.15](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)0(A)(1)-(3)

{%p endif %}

{%p if toilet\_location %}

The bathroom is not up to code. The toilet is located in a room for living, sleeping, cooking or eating. The landlord has 30 days to repair. See MA Code [410.15](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)0(A)(1)-(3)

{%p endif %}

{%p if bathroom\_light %}

The bathroom is not up to code. There must a bathroom light fixture, and the bathroom light fixture must be in good repair. The landlord must repair within 30 days. See MA Code [410.252](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if bathroomlight\_condition %}

The bathroom is not up to code. The bathroom light fixture must be in good repair. The landlord must repair within 30 days. See MA Code [410.252](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if bathroom\_outlets %}

The bathroom is not up to code. There is not a bathroom electrical outlet, and/or it is not in good repair. The landlord must repair within 30 days. See MA Code [410.25](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)0

{%p endif %}

{%p if bathroom\_door %}

The bathroom is not up to code. There is not bathroom door, and/or it is not closeable. Each room that has a toilet, tub, or shower must have a closable door. The landlord has 30 days to repair. See MA Code [410.15](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)0(A)(4)

{%p endif %}

{%p if bathroom\_floor %}

The bathroom is not up to code. The bathroom floor is not smooth, nonabsorbent and/or does not have a waterproof covering. The landlord has 30 days to repair. See MA Code [410.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)504(A)

{%p endif %}

**Bedroom**

{{ bedroom\_description }}

{{ bedroom\_pictures }}

{%p if bedroom\_sqft\_TF %}

The bedroom is not up to code. Every bedroom must have at least 70 square feet of floor space if only one person sleeps there. If more than one person is sleeping in the room, it must have 50 square feet of floor space for each person. See MA Code [410.400(B)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

The estimated total square foot measurement of the bedroom equals {{ bedroom\_sqft\_number }}

{%p if bedroom\_outlets %}

The bedroom is not up to code. Every room that is not a bathroom or kitchen must have at least two (2) separate wall outlets, **or**, one (1) electrical light fixture and one (1) wall outlet. See Ma Code [410.250(B)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

**Living Space**

{{ living\_description }}

{{ living\_pictures }}

**Other Rooms**

{%p if more\_rooms\_TF %}

There are additional rooms to be documented, such as {{ more\_rooms\_name }}

{%p endif %}

{{ other\_description }}

{{ other\_pictures }}

**Utilities**

{{ heat\_description }}

{{ heat\_pictures }}

{%p if LL\_heat %}

The landlord must provide and pay for heat unless there is a signed written agreement stating that the tenant must pay for heat. If there is no agreement the landlord must provide within 30 days. See MA Code [410.210.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if heat\_temp %}

The heating system is not up to code. The landlord must maintain a temperature of at least 64 degrees and no more than 78 degrees from September 16 to June 14 in every habitable room and bathroom. If there is no agreement stating that the tenant provides heat, the landlord must provide within 30 days. See MA Code [410.200-201.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if heat\_temp %}

The heating system is not up to code. The heating equipment is not in good working order. If there is no agreement stating that the tenant provides heat, the landlord must provide within 30 days. See MA Code [410.351.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{{ water\_description }}

{{ water\_pictures }}

{%p if LL\_watercharge %}

The landlord must provide and pay for water. But the landlord may bill a tenant for water and sewer only if the tenant moved into the apartment on or after March 16, 2005 and if the landlord has:

a) Installed and is maintaining a water submeter that measures water going only to your unit;

b) Installed low-flow water-saving devices on all showers, faucets, and toilets in your unit;

c) Described the water billing arrangements between you and the landlord, in detail, in a written rental agreement; and

d) Filed a certificate with the local board of health, or the agency responsible for enforcing the state Sanitary Code that says your unit is legal and meets the code.

See Mass. General Laws c. 186, [§14](https://malegislature.gov/Laws/GeneralLaws/PartII/TitleI/Chapter186/Section14) and [§22](https://malegislature.gov/Laws/GeneralLaws/PartII/TitleI/Chapter186/Section22) and MA Code [410.180](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download) and [410.354(D)](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if water\_pressure %}

The water system is not up to code. There is not enough water pressure to meet you ordinary needs(cooking, washing, bathing etc). The landlord must repair within 30 days. See MA Code [410.180.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if water\_temp %}

The water system is not up to code. The hot water must be between 110 and 130 degrees Fahrenheit, with enough pressure, for ordinary use (cooking, washing, bathing etc). If there is not enough hot water, the landlord must repair within 30 days. See MA Code [410.190.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)

{%p endif %}

{%p if vent\_system %}

The vent system is not up to code. Each room must have at least one window, door or mechanical vent. The landlord has 30 days to repair. See MA Code [410.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)280

{%p endif %}

{%p if waterheater\_vent %}

The water heater vent system is not up to code. The water heater vent must lead to the outdoors. The landlord has 30 days to repair. See MA Code [410.](https://www.mass.gov/doc/105-cmr-410-state-sanitary-code-chapter-ii-minimum-standards-of-fitness-for-human-habitation/download)202

{%p endif %}

Date: {{ signature\_date }}

Tenant Signature: {{ users\_signature }}