



Can tenants be billed directly for water?

Has your landlord told you that you have to pay your own water bill because of a new state law in Massachusetts? While rents have always included the cost of water, under this new law landlords may now bill tenants separately for water, **but only if *all* of the following happens:**

1. Your Tenancy Started After March 16, 2005

You can be billed separately for water *only* if you move into your apartment on or after March 16, 2005. You cannot be billed separately if your tenancy began before March 16th, 2005 – the date that the new water law will be in effect.

2. Individual Submeters Are Installed

The landlord must have a licensed plumber install individual meters (called *submeters*) that measure the actual water being used by each apartment.

3. Low-Flow Fixtures Are Installed

The landlord must have installed low-flow, water conserving faucets, showerheads, and toilets.

4. The Previous Tenant Was Not Forced Out

If the previous tenant- who was not required to pay separately for water- left involuntarily, a landlord cannot bill the new tenant for water. This is to prevent landlords from forcing out existing tenants in order to bring in new tenants who would be required to pay a separate water bill.

5. There Is A Written Rental Agreement

You must have a written rental agreement signed by your landlord that clearly states that you are responsible to pay a separate water bill, and what the billing arrangements are.

6. Landlord Files Certification

Landlords billing separately for water must file a certificate with the local Board of Health, or, Inspectional Services Department, that certifies that they have done *all* of the above.

If the landlord has failed to follow any one of the above requirements, he or she cannot bill you directly for water.