COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT
NO. SJC-13893

ARCANGELO CELLA, TERESA DEL SIGNORE, KATHERINE HOREY, AND SUSAN M. RENFREW,

Plaintiffs-Appellants,

v.

ANDREA J. CAMPBELL, in her official capacity as the Attorney General of the Commonwealth of Massachusetts, and WILLAM F. GALVIN, in his official capacity as Secretary of the Commonwealth of Massachusetts,

Defendants-Appellees.

ON RESERVATION AND REPORT FROM THE
SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY

BRIEF OF AMICUS CURIAE POVERTY & RACE RESEARCH ACTION COUNCIL (PRRAC) SUPPORTING DEFENDANTS-APPELLEES

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Pursuant to Massachusetts Supreme Judicial Court Rule 1: 21, *Amicus Curiae* Poverty & Race Research Action Council make the following disclosures: It is a nonprofit corporation with no parent corporations, with no stock, and therefore no publicly held company owning more than 10 percent of its stock.

DECLARATION OF AMICUS INDEPENDENCE

Amicus is independent from the parties, have no economic interest in the outcome of this case, and declare that none of the conduct described in Appellate Rule 17 has occurred. Specifically:

1. No party or party’s counsel authored this brief in whole or in part;

2. No party or party’s counsel contributed money that was intended to fund preparing or submitting this brief;

3. No person or entity—other than the amicus curiae or their counsel— contributed money that was intended to fund preparing or submitting this brief; and

4. None of the amici or their counsel represents or has represented one of the parties to the present appeal in another proceeding involving similar issues, or was a party or represented a party in a proceeding or legal transaction that is at issue in the present appeal.

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IDENTITY AND INTEREST OF *AMICUS CURIAE*

This brief is submitted by the Poverty & Race Research Action Council (the "Amicus" or "PRRAC") as amicus curiae urging this Court to reject Plaintiffs-Appellants' challenge to the certification of Initiative Petition 25-21, affirm the Attorney General's certification of the Petition. Amicus is a national civil rights law and policy organization that organization based in Washington, D.C. PRRAC's mission is to promote research-based advocacy strategies to address structural inequality and change the systems that disadvantage low-income people of color. PRRAC has worked extensively to ensure that state and municipalities take proactive steps to further fair housing and address racial inequality, including through the adoption of tenant protections like rent control and prohibitions on discrimination against families that use Housing Choice Vouchers.

INTRODUCTION

Rent control policies, like that which Initiative Petition 25-21 (the "Petition") would implement in Massachusetts is approved by the voters, are an effective, tested means of preventing worsening housing insecurity among tenants while still respecting the rights of property owners and enabling them to receive the revenue necessary to meet their operating expenses. Overlaid on a housing system in which Black and Latine households in Massachusetts are disproportionately likely to rent their homes, to experience cost burden, to be evicted, and to become homeless, rent control is a racial justice measure, the adoption of which would aid in the Commonwealth's efforts to comply with its duty to affirmatively further fair housing. Despite the protestations of Plaintiffs-Appellants, well-designed rent control policies like that included in the Petition will not cause the sky to fall, housing production to plummet, or multifamily mortgage lenders to question the value of their security interests. Amicus writes to provide helpful information to the Court with respect to these points and urges the Court to affirm the Attorney General's certification of the Petition.

ARGUMENT

I. RENT CONTROL POLICIES HAVE NOT HAD A SIGNIFICANT NEGATIVE IMPACT ON THE RENTAL HOUSING MARKET IN MASSACHUSETTS OR ELSEWHERE.

Multiple jurisdictions around the country have enacted rent control measures, and those policies have not had an excessively negative impact on local rental markets. In fact, when Massachusetts eliminated municipal rent control policies in 1995, a study found no corresponding increase in new construction or supply, thus supporting the grounds for an inference that previously existing rent regulations were not constraining supply.[1] Conversely, when other states have adopted rent regulations, they have not seen negative impacts on local rental markets, such as decreases in new construction. Simply put, evidence from academic studies does not support claims that rent stabilization consistently and necessarily suppresses housing supply. Short-term blips in construction while industry exerts pressure on elected officials to repeal recently enacted policies are not to be confused for the structural, long-term effects

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[1] DP. Sims, *Out of control: What can we learn from the end of Massachusetts rent control?,* 61 J. URB. ECON. 129 (2007).

of rent regulations on whether new residential developments are economically viable or not. Instead, outcomes appear to be shaped more by broader market conditions (including regional economic growth and wages) and other aspects of the regulatory landscape (like zoning and land use regulations) than by rent regulation alone.

In California, jurisdictions are not prohibited from enacting municipal rent stabilization policies, and several cities have implemented rent stabilization measures that are more stringent than the statewide prohibition on rent gouging. Research analyzing the effects of these municipal measures found no impact on residential construction.[2] A study of 373 California cities found no consistent relationship between the intensity of municipal rent control policies and new rental-unit construction between 2010 and 2019.[3]

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[2] *See, e.g.*, LESLIE GORDON, URB. HABITAT, STRENGTHENING COMMUNITIES THROUGH RENT CONTROL AND JUST-CAUSE EVICTIONS: CASE STUDIES FROM BERKELY, SANTA MONICA, AND RICHMOND 8-9 (2018), https://urbanhabitat.org/wp-content/uploads/2022/11/UH-2018-Strengthening-Communities-Through-Rent-Control_0.pdf.

[3] Chris Alvarez Campbell et al., *Evaluating Rent Control Intensity in California Cities, 2010-2019*, 36 HOUS. POL'Y DEBATE 141 (2025), https://hpri.usc.edu/wp-content/uploads/2026/01/Evaluating-Rent-Control-Intensity-in-California-Cities-2010-2019.pdf.

Another found that, in the San Francisco Bay area, rates of apartment construction per square mile were actually higher in rent controlled jurisdictions than neighboring cities between 2006 and 2014.[4] California is not an outlier.

Results are similar in other states that allow municipal rent stabilization policies. A comprehensive study of 76 cities in New Jersey with varying levels of regulation found little to no statistically significant effect of moderate rent controls on new construction, controlling for population, demographics, income, and renter-occupied units.[5] These results across states and municipalities challenge the idea that rent control meaningfully suppresses new housing supply.

Even in cities with particularly restrictive rent stabilization policies, new construction rates are not affected and fluctuate normally. In 2021, voters in the city of Portland, Maine approved a cap on annual

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4 KENNETH BAAR ET AL., ECON. ROUNDTABLE, STUDY OF THE APARTMENT RENT ORDINANCE OF THE CITY OF SAN JOSÉ: FINAL REPORT 186 (2016), https://economicrt.org/wp-content/uploads/2016/09/San-Jose-ARO-Study-ERt-Final-Report.pdf#page=186.

5 John I. Gilderbloom & Lin Ye, *Thirty Years of Rent Control: A Survey of New Jersey Cities*, 29 J. URB. AFF. 207 (2007).

rent increases at 70% of the Consumer Price Index (CPI). In 2026, this cap would have been just 2.2%.[6] Despite having no exemptions for new construction, the city actually saw a significant increase in new permitting the year the policy went into effect, as well as what were then ten-year highs in both 2023 and 2025.[7] These outcomes further challenge the assumption that strict rent stabilization measures necessarily suppress development, highlighting the role of broader market forces in influencing the volume of new construction.

II. LENDERS TYPICALLY DO NOT UNDERWRITE MULTIFAMILY MORTGAGES IN EXPECTATION OF RENT INCREASES SIGNIFICANTLY EXCEEDING THOSE THE PETITION WOULD ALLOW.

When lenders underwrite multifamily mortgages, they typically do so in reliance on projected rent increases that are substantially similar to those that the Petition would allow. Namely, the maximum anticipated annual rent increase that a lender might countenance in a developer's application is likely to

[6] *Rent Control & Rental Housing Rights*, CITY OF PORTLAND, https://portlandmaine.gov/1148/Rent-Control-Rental-Housing-Rights (last visited Apr. 16, 2026) (The CPI for the greater Boston area is used for Portland, ME).

[7] *Housing Dashboard*, CITY OF PORTLAND, https://www.portlandmaine.gov/1462/Housing-Dashboard (last visited Apr. 16, 2026).

be approximately 3%. Industry publications position underwriting on the basis of 3% annual rent increases over the first ten years of a multifamily mortgage as a historically standard assumption.[8] Prior to a policy change in 2022, Fannie Mae, the Government-Sponsored Enterprise, employed an even lower 2% income growth benchmark, and, while it made changes to allow for a more nuanced projection of rent growth, it still does not permit rent growth projections to exceed 4% no matter what the market conditions.[9] Lenders are unlikely to take developers' projections of higher rent increases than that seriously because doing so would be risky,[10] and long-term data on rent increases does not provide a basis for certainty. This is particularly true for projections of rent increases that are imposed when a property has been in use for

[8] *See Multifamily Underwriting: Modest Rent Growth is Not a Given*, TACTICA RES, https://www.tacticares.com/blog-feed/multifamily-underwriting-modest-rent-growth-is-not-a-given (last visited Apr. 16, 2026).

[9] *Rent Growth Data Q&A*, FANNIE MAE (Jan. 13, 2022), https://multifamily.fanniemae.com/media/38806/display.

[10] *Red Flags to Lookout for When Underwriting Multifamily Properties?*, BRENEMAN CAPITAL (Mar. 15, 2026), https://www.breneman.com/blog/what-are-some-red-flags-in-underwriting-assumptions (identifying projections of excessive rent growth as a red flag and stating that rent growth of 3% annually is a standard assumption).

over ten years, prior to which such a property would have been exempt from the Petition's protections.[11] Lenders that are skeptical of projections of, for instance, 10% annual rent increases will be especially leery of claims that rent hikes along those lines are likely when a property is no longer new.[12] And, in those out years, it is especially unlikely that a landlord would enter into foreclosure, thereby more seriously calling the value of a lender's security interest into question, given that the landlord would have accumulated significant equity in the property by that time, thus making a refinance or a sale for more than the outstanding balance of the mortgage feasible.[13]

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[11] Mass. Initiative Petition No. 25-21 (2025), https://www.mass.gov/doc/25-21-an-initiative-petition-to-protect-tenants-by-limiting-rent-increases/download.

[12] *See* Chandan Economics, *How Do Apartment Rents Vary by Property Age?*, Arbor Realty (Jan. 9, 2017), https://arbor.com/blog/rents-vary-apartment-property-age/ (finding that, as buildings get older, achievable monthly rents tend to decrease).

[13] This is not to say that multifamily borrowers with loans that were first originated years earlier do not enter foreclosure. Many do; however, that is often the result of landlords irresponsibly leveraging *increased* property values to engage in what is called a cash-out refinance and then using the proceeds to either fund the acquisition of additional buildings or to provide returns to investors. Ruthy Gourevitch & Jacob Udell, *The Government Is Financializing Your Home Part II*, The

In years when the increase in the Consumer Price Index (CPI) is between 3% and 5%, the Petition would allow for rent increases that are in excess of the percentage for which the owners' loans would have been underwritten. In years in which the increase in the CPI is less than 3%, maximum allowable rent increases may be slightly less than what lenders would have anticipated; however, over time, rent increases across all years may average out to approximately 3%.[14] Additionally, in years where the increase in the CPI is below 3%, it is likely that landlords' operating costs will not have increased as much as in years when higher rent increases are allowed given that the CPI captures some other drivers of operating costs (such as energy costs)[15] and that other drivers (such as

RENT ROLL (Apr. 10, 2026), https://rentroll.substack.com/p/the-government-is-financializing-786. A landlord's inability to pay its mortgage without imposing exorbitant rent increases due to a cash-out refinance after an increase in the value of their property does not constitute grounds for sympathy, much less grounds for a court to conclude that a taking has occurred.

[14] *12-Month Percentage Change, Consumer Price Index, Selected Categories*, U.S. BUREAU OF LAB. STAT., https://www.bls.gov/charts/consumer-price-index/consumer-price-index-by-category-line-chart.htm, (last visited Apr. 17, 2026).

[15] *Handbook of Methods: Consumer Price Index: Concepts*, U.S. BUREAU OF LAB. STAT., https://www.bls.gov/opub/hom/cpi/concepts.htm (last

labor costs) are correlated with the CPI.[16] In such economic environments, landlords may not even have the market power to be able to demand rent increases of 3% or greater, especially if concurrent efforts by the Commonwealth of Massachusetts to increase housing supply are having an effect.[17] Accordingly, the Petition would not impair the ability of lenders to receive mortgage payments from landlords even in low-inflation years for which higher than allowed rent increases may have been projected at the underwriting stage because lower growth in operating costs will coincide with lower rent revenue and because landlords might struggle to obtain higher rent increases in the absence of regulation, thereby severing the causal chain.

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modified Apr. 10, 2025) (listing utilities as a component of the housing group of expenses).

[16] Adam Shapiro, *How Much Do Labor Costs Drive Inflation?*, FED. RSRV. BANK OF S.F. (May 30, 2023), https://www.frbsf.org/research-and-insights/publications/economic-letter/2023/05/how-much-do-labor-costs-drive-inflation/ (stating that "[l]abor-cost growth and core PCE inflation tend to move together over time Labor-cost growth and core PCE inflation tend to move together over time, with a correlation of approximately 0.8 over the past two decades.").

[17] *See* G. L. c. 40A, § 3A (2021).

Plaintiffs-Appellants also ignore the elephant in the room: in order for the value of a lender's security interest to be meaningfully eroded, the actual value of the property would have to decline, leaving the landlord underwater. If the value of a property has not declined, a landlord is likely to be able to avoid defaulting on their mortgage obligations either by refinancing or consensually selling their property, and, if they choose not to do so and default instead, the lender is likely to be made whole via a foreclosure sale that is not a short sale. Plaintiffs-Appellants have alleged no facts setting forth that multifamily property values are likely to decline as a result of the passage of the Petition, and the body of evidence from other jurisdictions described above with similar – and in many instances more aggressive – rent regulations in place reinforces that any attempt to make such an argument would be unavailing. Lastly, even if Plaintiffs-Appellants could offer factual support for anticipated property value decreases, that showing would run aground in light of the many court decisions holding that land use regulations linked with much more significant property value decreases do not violate property owners' reasonable, investmentbacked expectations under the standards set forth in *Penn Central Transp. Co. v. New York City*, 438 U.S. 104, 124 (1976); *see also Concrete Pipe & Prods. v. Constr. Laborers Pension Trust*, 508 U.S. 602, 645 (1993) (company asserted change to pension legislation would cost company 43% of equity; the Court held that "even assuming that Concrete Pipe has used the appropriate measure in determining the portion of net worth required to be paid out, our cases have long established that mere diminution in the value of property, however serious, is insufficient to demonstrate a taking", and notes upholding of diminutions of 75% and 92.5% in value.).

III. RENT CONTROL MITIGATES THE DISPROPORTIONATE HARMS THAT THE HOUSING CRISIS INFLICTS ON BLACK AND LATINE HOUSEHOLDS.

Rising rents and stagnant incomes have caused more low and moderate-income renters to be cost-burdened (paying more than 30 percent of their income towards rent) than ever before.[18] This particularly

[18] JOINT CTR. FOR HOUS. STUD. OF HARV. UNIV., AMERICA'S RENTAL HOUSING 2026 (2026), https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2026.pdf; *see also* Jamie Forbes, *February 2025 Average Rent Report: Rents Rise as Construction Slows*, RENT. RSCH. (Mar. 12, 2025),

impacts communities of color, because Black and Latine households, in particular, are far more likely to rent than their white counterparts. Racially discriminatory housing policies like redlining, urban renewal, and the exclusion of veterans of color from G.I. benefits after World War II directly stifled many Americans' dream of homeownership.[19] As a long-term consequence, in Massachusetts, only 37 percent of Black households and 31 percent of Hispanic households own their own home, as compared to 70 percent of white households.[20]

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https://www.rent.com/research/average-rent-price-report/. (In 2024, the number of cost-burdened households (those spending more than 30% on rent and utilities) hit a record high for the third year in a row accounting for more than 22.7 million households or about 49 percent of renters. Less predictably, moderate income earners making between $45,000 and $75,000 still experience cost-burdeness at a rate of 49 percent. Since 2001, the average renter's household income has increased by 9 percent. In contrast, the average rent has risen by 30 percent.)

[19] Ruth Umoh, *How Closing The Racial Wealth Gap Helps The Economy*, FORBES (Aug. 15, 2019), https://www.forbes.com/sites/ruthumoh/2019/08/15/how-closing-the-racial-wealth-gap-helps-the-economy/; *see also* Laurie Goodman & Christopher Mayer, *Homeownership and the American Dream*, URB. INST. (Jan. 31, 2018), https://www.urban.org/research/publication/homeownership-and-american-dream; J.D. Ambrosius et al., *Forty years of rent control: Reexamining New Jersey's moderate local policies after the great recession*, 49 CITIES 121 (2015), https://doi.org/10.1016/j.cities.2015.08.001.

[20] *Consolidated Planning/CHAS Data: 2018–2022 ACS 5-Year Average Data Dictionary*, U.S. DEP'T OF HOUS. & URB.

Considering the vast majority Black and Latine households in Massachusetts are renters, steep rent increases have a disparate impact on these individuals and families, and policies that rein in these increases are an effective remedy to that harm.[21] Moreover, as a recipient of federal housing and community development funds, the Commonwealth of Massachusetts has an affirmative obligation to take meaningful actions – like the implementation of statewide rent control – that further fair housing by reducing these types of disparities. *See, e.g.*, 42 U.S.C. § 5304(b)(2); *N.A.A.C.P., Boston Chapter v. Sec'y of U.S. Dep't of Hous. & Urb. Dev.*, 817 F.2d 149, 155 (1st Cir. 1987) (holding that the U.S. Department of Housing and Urban Development, to which the same duty applies, must "use its grant programs to assist in ending discrimination and segregation, to the point where the supply of genuinely open housing increases").

Affordability challenges have become increasingly widespread. In the last five years, cost-burden rates

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DEV., https://www.huduser.gov/portal/datasets/cp.html (last revised Dec. 23, 2025).

[21] *Id.*

have risen in 44 states, and renters of color are far more likely to spend unsustainable portions of their income on housing. More than half of all Black and Latine renters in Massachusetts are cost-burdened.[22] Many households are forced to spend more than half of their total household income on housing, an unsustainable burden that puts households perilously close to homelessness. In Massachusetts, 20 percent of Latine households and 26 percent of Black households experience this severe cost burden.[23] Furthermore, these families are also more likely to live in older buildings, with substandard conditions and fewer amenities.[24] The difference is not merely cosmetic. Older buildings and units that have not been maintained are less energy efficient causing over half of all Black households in Massachusetts to report being energy-insecure due to their high utility

[22] Press Release, U.S. Census Bureau, Nearly Half of Renter Households Are Cost-Burdened, Proportions Differ by Race, (Sept. 12, 2024), https://www.census.gov/newsroom/press-releases/2024/renter-households-cost-burdened-race.html.
[23] *Consolidated Planning/CHAS Data: 2018-2022 ACS 5-Year Average Data*, *supra* note 20.
[24] *Id.*

costs.[25] In light of these disparities, fewer Black and Latine families have the financial buffers to absorb sharp, unexpected rent increases. Rent control policies like that of the Petition slow down the pathway from cost-burden (which is already disproportionately experienced by Black and Latine households) to severe cost-burden, thereby reducing the frequency with which harmful and racially disparate outcomes like eviction and homelessness will occur.

Many families may turn to federal, state, and local rental assistance programs to help pay for such untenable housing costs; however underfunding leaves 75 percent of income-eligible households without assistance.[26] The Massachusetts Housing Choice Voucher waitlist has been closed since January 2025, and participants who have made it to the waitlist may wait

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[25] JOINT CTR. FOR HOUS. STUD. OF HARV. UNIV., AMERICA'S RENTAL HOUSING 2025 (2025), https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Improving_Americas_Housing_2025.pdf.

[26] Erik Gartland, *Funding Limitations Create Widespread Unmet Need for Rental Assistance*, CTR. ON BUDGET & POL'Y PRIORITIES, (Feb. 15, 2022), https://www.cbpp.org/research/housing/funding-limitations-create-widespread-unmet-need-for-rental-assistance.

a decade before their name is called.[27] Cost-burdened renters without access to assistance programs pose a much higher risk for eviction.

High –poverty, predominantly Black households experience significantly higher rates of eviction compared to comparable White households.[28] Black renters make up only 18.6 percent of all renters but account for 43 percent of those evicted. By contrast, White Americans make up 50.4 percent of all renters but accounted for only 32 percent of those who were evicted.[29] Massachusetts data shows much higher rates of both eviction filings and completed evictions in neighborhoods with high concentration of Black and

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[27] Exec. Off. of Hous. and Livable Cmtys., *Apply for the Section 8 Housing Choice Voucher Program (HCVP)*, MASS.GOV, https://www.mass.gov/how-to/apply-for-the-section-8-housing-choice-voucher-program-hcvp (last visited Apr. 16, 2026); Sonya Acosta & Erik Gartland, *Families Wait Years for Housing Vouchers Due to Inadequate Funding*, CTR. ON BUDGET & POL'Y PRIORITIES, (July 22, 2021), https://www.cbpp.org/research/housing/families-wait-years-for-housing-vouchers-due-to-inadequate-funding.

[28] MATTHEW DESMOND, MACARTHUR FOUND., POOR BLACK WOMEN ARE EVICTED AT ALARMING RATES, SETTING OFF A CHAIN OF HARDSHIP 2 (2014), https://www.macfound.org/media/files/hhm_research_brief_-_poor_black_women_are_evicted_at_alarming_rates.pdf.

[29] Nick Graetz et al., *A Comprehensive Demographic Profile of the U.S. Evicted Population*, 120 PROC. NAT'L ACAD. SCI e2305860120, at 3 (2023), https://www.pnas.org/doi/epdf/10.1073/pnas.2305860120.

Latine communities.[30] Women of color with children face the highest risk of eviction of any demographic group. In Massachusetts, 27 percent of Black and Latine children under the age of five face eviction each year, disrupting their education and causing years of economic and housing instability. Matthew Desmond's book *Evicted* highlighted the collateral, compounding, and long-lasting effects of an eviction. Families must make decisions quickly to land on their feet in an involuntary move and sometimes end up in housing that is lower quality, more expensive, or incompatible. Without the time to weigh options and intentionally choose new housing, evicted families often accept substandard, or dangerous housing conditions to avoid homelessness. Black residents are 34% more likely to live in areas with high projected increases in childhood asthma. In Boston, Black and Latine neighborhoods reported rates of in-home asthma triggers roughly 172 percent and 72 percent more

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[30] Julie Lee, *Balancing the scales of justice: Why right to counsel in eviction cases is a racial justice and housing justice issue*, ACLU OF MASS.: DATA FOR JUST. PROJECT (Jan. 16, 2024), https://data.aclum.org/2024/01/16/eviction-cases-analysis/.

frequently, respectively, than in predominantly white neighborhoods.[31]

Social scientists have documented the causal link between rent costs and homelessness.[32] With Massachusetts rents being the highest in the country, it continues to see increases in evictions and homelessness.[33] The Commonwealth currently has the fifth largest population of residents experiencing homelessness in the nation, 55 percent of whom are Black.[34] Housing instability caused by out-of-control

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[31] Maya Brownstein, *Unhealthy housing conditions may worsen neighborhood asthma burden*, HARV. T.H. CHAN SCH. OF PUB. HEALTH (Oct. 20, 2025), https://hsph.harvard.edu/news/unhealthy-housing-conditions-may-worsen-neighborhood-asthma-burden/.

[32] MARGOT KUSHEL AND TIANA MOORE, UNIV. OF CAL., S.F. BENIOFF HOMELESSNESS AND HOUS. INITIATIVE, TOWARD A NEW UNDERSTANDING: THE CALIFORNIA STATEWIDE STUDY OF PEOPLE EXPERIENCING HOMELESSNESS (2023), https://homelessness.ucsf.edu/sites/default/files/2025-12/CASPEH_Report_62023.pdf.

[33] Rin Velasco, *MA rent prices are highest in U.S., Rent.com says. Boston nears $4,000*, PATRIOT LEDGER, https://www.patriotledger.com/story/news/2024/04/24/rent-boston-ma-newton-cambridge-housing/73367619007/ (last updated Apr. 24, 2024); Matija Jankovic, *Housing Stability Monitor: Massachusetts Evictions & Foreclosures*, MASS. HOUS. P'SHIP: CTR. FOR HOUS. DATA (Aug. 26, 2025), https://www.mhp.net/news/2025/housing-stability-monitor.

[34] *2007 - 2024 Point-in-Time Estimates by State*, U.S. DEP'T OF HOUS. & URB. DEV. (Dec. 2024), https://www.huduser.gov/portal/datasets/ahar/2024-ahar-part-1-pit-estimates-of-homelessness-in-the-us.html.

rents have very real life-altering consequences to tenants, and Black and Latine families are disparately impacted.

Rent control is a critical civil rights intervention for promoting stability and racial equity by mitigating displacement and eviction. Rent stabilization measures, especially when combined with just-cause eviction protections, effectively prevent landlords from constructively evicting tenants through unmanageable rent hikes. Studies consistently confirm that rent control significantly increases tenant tenure stability and reduces involuntary moves, preserve existing community ties and cultural continuity while also protecting existing affordable housing units. Empirical evidence from jurisdictions like San Francisco shows that rent control provides increased housing stability showing a 20 percent increase in the probability of renters staying at their current address.[35] Even critics of the strategy acknowledge the prevention of displacement rent

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[35] Rebecca Diamond et al., *The Effects of Rent Control Expansion on Tenants, Landlords, and Inequality: Evidence from San Francisco*, 109 AM. ECON. REV. 3365 (2019), https://www.aeaweb.org/articles?id=10.1257/aer.20181289.

control puts into place.[36] Ultimately, it is a necessary mechanism that directly addresses the disproportionate housing instability faced by Black and Latine households. By limiting rent increases, rent control ensures housing costs do not continue to outpace income growth, a trend that has exacerbated the crisis for decades.

CONCLUSION

For the foregoing reasons, rent control policies like that set forth in the Petition are consistent with well-functioning housing markets in which supply increases, do not impinge upon multifamily mortgage lenders' security interests, and advance critical racial justice goals, Amicus respectfully asks that this Court affirm the Attorney General's certification.

[36] Emilia Calma, *What we know about rent control and its impacts on rental housing*, D.C. POL'Y CTR. (Aug. 1, 2025), https://www.dcpolicycenter.org/publications/rent-control-lit-review-2025/.

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MASS. R. A. P. COMPLIANCE CERTIFICATION

I, Alycia M. Kennedy, hereby certify that the foregoing Brief of PRRAC as *Amicus Curiae* complies with the rules of court that pertain to the filing of such papers, including but not limited to: Mass. R. App. P. 17 (*amicus* briefs) and Mass. R. App. P. 20 (form of briefs, appendices, and other papers).

I also certify that this Brief has been produced using 12-point Courier New, a monospaced font. I certify as well that the nonexempt portions of this brief take up 20 pages (including headings, footnotes and quotations).

/s/Alycia M. Kennedy

Alycia M. Kennedy

CERTIFICATE OF SERVICE

I, Alycia M. Kennedy, hereby certify that on April 17, 2026 I caused a copy of the foregoing Brief of PRRAC as *Amicus Curiae* to be filed through the efileMA system, which will electronically send true copies to the following counsel of record who are registered participants:

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