

DEPARTMENT OF PUBLIC HEALTH
105 CMR 410:00: STATE SANITARY CODE, CHAPTER II
MINIMUM STANDARDS OF FITNESS FOR HUMAN HABITATION

410.400 (A): Every dwelling unit shall contain at least **150 square feet** of floor space for its first occupant, and at least **100 square feet** of floor space for each additional occupant, the floor space to be calculated on the basis habitable room area.

410.400 (B): In a dwelling unit, every room occupied for sleeping purposes by one occupant shall contain at least **70 square feet** of floor space; every room occupied for sleeping purposes by more than one occupancy shall contain at least **50 square feet** of floor space for each occupant.

410.400 (C) In a rooming unit , every room occupied for sleeping purposes by one occupant shall contain at least **80 square feet** of floor space; every room occupied for sleeping purposes by more than one occupant shall contain at least **60 square feet** for each occupant.

410.401 (A): No room shall be considered habitable if more than three quarters of its floor area has a floor-to-ceiling height of less than **7 feet**.

410.401(B): In computing total floor area for the purpose of determining maximum permissible occupancy, that part of the floor area where the ceiling height is less than **5 feet** shall not be considered.

410.402: No room or area in a dwelling may be used for habitation if more than one-half of its floor-to-ceiling height is below the average grade of the adjoining ground and is subject to chronic dampness.

410.020: **Habitable room** means every room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding rooms containing toilets, bathtubs or showers and excluding laundries, pantries, foyers, communicating corridors, closets, and storage space.