



Dear Members,

The Attorney General's Office (AGO) has issued regulations targeting "junk fees" and aimed at increasing consumer clarity about prices and fees. The regulations will impose new consumer protection rules on all Massachusetts businesses; they are not specific to assisted living. The rules seek to increase transparency and help consumers avoid hidden fees, cancel subscriptions more easily, and avoid costs that are optional. The regulations are enforceable by the AGO beginning September 2, 2025, for businesses operating in Massachusetts.

While some of the requirements overlap with consumer protections already built into the assisted living regulations, we recommend reviewing the full regulations and guidance to ensure compliance by the effective date.

Businesses will be required to disclose the total price of a product, including what charges are mandatory and what charges are optional or waivable (and how to do so). For this requirement, and some others, the AGO released a specific guidance for leases/rents that is applicable to assisted living: it is sufficient to meet this requirement for landlords to provide the total price, inclusive of all fees, to be paid monthly by the tenant in the initial presentation of the price. Two aspects that are particularly relevant to assisted living providers include:

- Businesses must clearly and conspicuously disclose the total price of a product prior to requiring a consumer to provide any personal information, including billing information.
- The total price must be displayed more prominently than any other pricing information in disclosures, and at a 'final presentation of price' the final transaction amount must be the most prominent.

The regulations also target "negative option features," which are contracts under which the consumer's silence or failure to reject or non-renew a service is interpreted by the seller as acceptance or continuing acceptance. New regulations require businesses to be clear that a contract will renew unless cancelled, provide instructions on how to cancel or non-renew, and provide reminders on automatic renewals in advance. Note that MA assisted living regulations already require that Residency Agreements cannot exceed 12 months and are renewable "upon agreement by both parties".

To assist businesses in complying with the new regulations, the AGO has released guidance for businesses, available [here](#).

The link to the full regulations can be found [here](#).

If you have any questions, please contact us at Mass-ALA@mass-ala.org.

This update is solely for general informational purposes. It is not intended to replace a full review of the cited regulations or guidance.

MASS-ALA | [Website](#)



Mass-ALA | 465 Waverley Oaks Road Suite 415 | Waltham, MA 02452 US

[Unsubscribe](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!