

COVID-19 Eviction Court Updates

Updated March 24, 2020

Changes to eviction cases in **Housing Court*** and **District Court** during Coronavirus pandemic:

If you have not had a trial in your case and have not signed an agreement:

- If you have a court date pending in Housing Court and there was no judgment in your case, your court date (along with any motion hearings or mediations), is postponed until on or after April 21, 2020. For District Court cases, this postponement is until on or after May 4, 2020.

If you already lost your case (Judgment for Landlord):

- If you were within the ten-day appeals period as of March 17, 2020 (i.e., if the judgment date was March 9, 2020 or later), then the landlord cannot get the "execution" (the document that lets them physically move you out) before April 21, 2020. You may file a Notice of Appeal before April 21st.

If there are papers due in your case:

- Deadlines to file most paperwork including Answer and Discovery are postponed to April 21, 2020.
- If you have a Notice to Quit, no trial date will be set before April 21st (in Housing Court), or May 4th (in District Court), but you may receive a Summons and Complaint. If so, you have to file Answer and Discovery papers with the court by April 21st. Visit gbls.org/MADE for help with this paperwork.

If you have missed a court date between March 1, 2020 and April 21, 2020:

- If you miss a court date, you usually lose your case (by a "default judgment"). But, you can remove the default by filing a motion. The Housing Courts will automatically grant this motion for court dates from March 1 to April 21 due to the coronavirus. This is true even if the landlord has already used the default judgment to get an execution. For District Court - If you missed a court date, you can file a motion and contact the clerk's office about how a hearing will be held.

When can the landlord get an execution to move you out:

- If a landlord must go to court to get an execution, (e.g., there is an Agreement for Judgment that the landlord alleges the tenant violated), then the hearing will be held on or after April 21st (or on or after May 4th for District Court cases), unless the landlord convinces the court that it is an emergency.
- Sometimes the landlord is able to get an execution without a hearing when the agreement says so, or when you lost at trial and the appeal period has run out. Tenants in this situation are still at risk of eviction before April 21st (or May 4th for District Court cases). Contact us for help to e-file a motion.

If you have received a 48-hour notice from a sheriff or constable:

- If you receive a 48-hour notice to move from a sheriff or constable, you will need to file a motion with the court to ask for more time and ask the court to schedule a hearing on an emergency basis.
- If you need help to file a motion or to oppose an emergency execution, contact us at: **617-603-1807**.

Additional Resources

www.masscourts.org (view your case information) www.masslegalhelp.org (legal information/assistance)
City Life Vida Urbana: English (617) 934-5006 Español (617) 397-3773 (tenant advocacy group)

*The Housing Courts are Eastern (Boston), Metro-South and Northeast, etc. The postponement dates and policies differ for District Courts. Check your court notice to confirm which court your case is in. Contact that court to obtain information about your specific court case. This flyer is not intended to constitute legal advice to any individual, and the information provided may change without notice.