

 <p>NORTHEAST LEGAL AID</p>  <p>LSC America's Partner for Equal Justice</p> <p>LEGAL SERVICES CORPORATION</p>	<p>Northeast Lawyer For a Day Project <i>A Project of Northeast Legal Aid With Support From The Northeast Justice Center And Private Bar Volunteers</i> 978-458-1465</p>	 <p>NJ C Northeast Justice Center</p>
---	---	--

Your Rights in Housing Court During the Coronavirus COVID-19 Outbreak

- 1. Postponed court dates:** Eviction trials are postponed until *no earlier than May 4th*. You should receive notice of any new court date by mail. If you don't, you can look up your case online at www.masscourts.org or call the Housing Court at **978-689-7833**. There is also a Court HelpLine you can call: **833-912-6878**.
- 2. Access to court:** The courts are open for business but the courthouses are generally closed to the public. Through May 4th, the Housing Court will hear only emergency matters, by telephone or video conference. "Emergency matters" include applications for injunctive relief, temporary restraining orders regarding a lockout, condemnation, no heat, no water and/or no utilities, conduct or conditions endangering the health, safety, and welfare of residential occupants and others, stays of levy on an execution, or where emergency access is required (e.g. burst water pipe, gas fumes, etc.).
- 3. What if I am served with an eviction complaint?** Some eviction cases continue to be filed, so **it is important to file a timely Answer and Discovery to protect your rights as a tenant**. If the "Answer Date" on the Summary Process (Eviction) Complaint is before May 4th, it is extended automatically until at least May 4th. Call the numbers below to get assistance. We can also email or mail the forms to you, or you can complete them online at <https://www.gbls.org/MADE>.
- 4. Can you be evicted before May 4th?** There are federal protections **through July 25th** in the "CARES Act" against evictions for non-payment *for housing that has federal aid*, such as subsidized/public housing, Section 8 vouchers, federally-backed mortgages, etc. The State Legislature may also soon pass an eviction ban. However, if judgment entered against you before March 7th, or you signed an Agreement to vacate, then yes, you are under threat of eviction unless you are covered by a ban. Tenants facing such an eviction can file an emergency MOTION FOR STAY to hold off eviction during this health crisis. "Self-help" evictions (other than by court order) or "lock-outs" are illegal, and you can file an emergency motion to stop them. The Housing Court or Legal Aid can help you with the paperwork by telephone.
- 5. What if I missed court?** If you are a tenant and a judgment for possession was entered by "default" against you on or after March 1st, you can file a MOTION TO REMOVE THE DEFAULT and the judgment "shall be vacated."
- 6. Mediation assistance is available - get advice before signing an agreement.** The Lawyer for a Day Program (see numbers below) may be able to represent you in mediation. With the risks of homelessness during a public health crisis, if you are a tenant, **get advice before signing any Agreement for Judgment or agreeing to a vacate date. It will likely be very difficult to find a new apartment during this crisis.** Online information is available at www.masslegalhelp.org. Ask about available rental assistance. If you are disabled, you can request help from the Court's Tenancy Preservation Program.

Legal Aid and volunteer lawyers are available to help elders and low-income parties who don't have lawyers, either by telephone or e-mail, with any of the above. If you need help, call for an intake/assistance:

Lawrence/Haverhill area: Myrta Cupeles, Tel. 781-254-2831

Lowell area: Eden Chorm, Tel. 781-254-1265

Lynn area: Lorraine Medrano, Tel. 781-244-1403

For cases in the Salem Session, contact the Essex Cty. Bar Assoc. at 978-500-5790 or housingldp@essexcountybar.net.

For more information, all Court Standing Orders can be found here: <https://bit.ly/39CHtlj>