

Tenants' Rights in Massachusetts
MCLE Basic Benefits Training Series
September 24, 2024

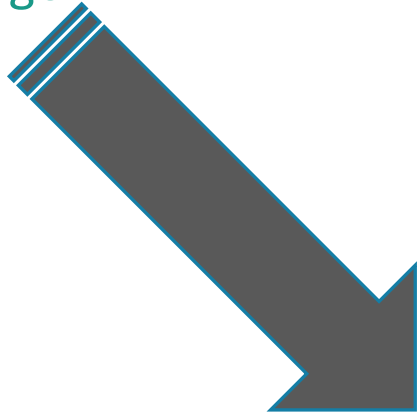
MADE, UptoCode, and Housing Search Demo

Quinten Steenhuis, Suffolk LIT Lab
QSteenhuis@suffolk.edu
Mastodon: <https://noc.social/@qsteenhu>

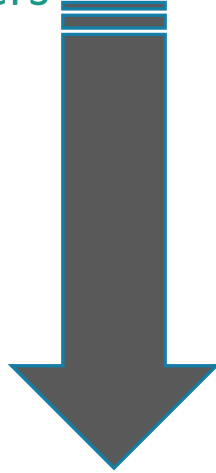


**Using gbls.org/MADE for
Eviction Defense**

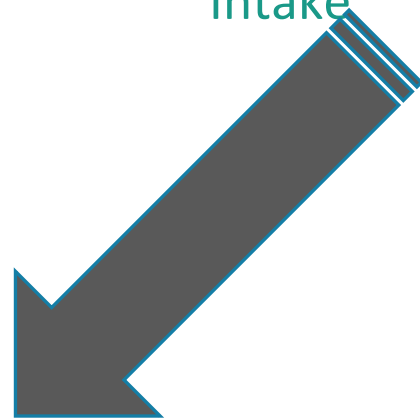
Phone Intake/
Triage



Social Service
Partners



Community
Intake



Monday Eviction Clinic



Massachusetts Defense for Eviction: MADE

- “Clinic” in a box
- Uses consensus forms
- End-to-end assistance + information

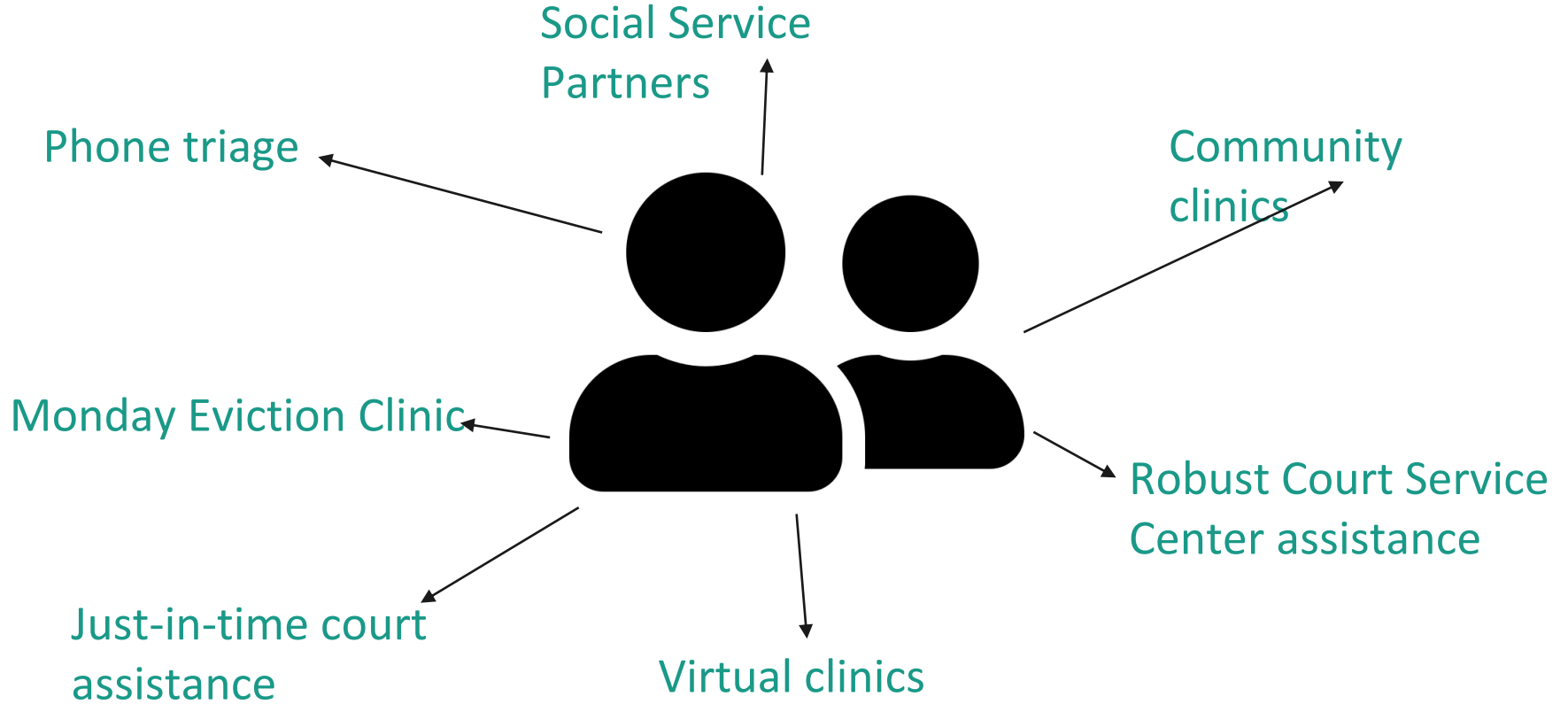
The image displays several legal forms used in Massachusetts for eviction defense. The forms are arranged in a collage, showing different stages and types of legal proceedings:

- ANSWER FORM (COMMONWEALTH OF MASSACHUSETTS):** A form for a defendant to respond to a summons and complaint. It includes fields for the defendant's name, address, and contact information, and a section for the answer to the complaint.
- DISCOVERY FORM (COMMONWEALTH OF MASSACHUSETTS):** A form for a party to request discovery of documents and information from another party. It includes fields for the party's name, address, and contact information, and a section for the discovery request.
- NOTICE OF TRANSFER (COMMONWEALTH OF MASSACHUSETTS):** A form for a party to request that a case be transferred to a different court. It includes fields for the party's name, address, and contact information, and a section for the transfer request.
- NOTICE OF INTER (COMMONWEALTH OF MASSACHUSETTS):** A form for a party to request that a case be transferred to a different court. It includes fields for the party's name, address, and contact information, and a section for the transfer request.
- LATE ANSWER (COMMONWEALTH OF MASSACHUSETTS):** A form for a party to request that a case be transferred to a different court. It includes fields for the party's name, address, and contact information, and a section for the transfer request.



MADE

- Is free and easy to use
- Helps tenants prepare 7 key forms to defend against an eviction
- Reminds tenants of key deadlines by text and email
- Includes videos, pictures, and educational materials
- Is in Spanish, Vietnamese, Portuguese, Chinese, and Haitian-Creole
- Has audio narration



Language: English [Español](#) [Tiếng Việt](#) [Português](#) [中文](#) [Kreyòl](#)



Sign your court forms



We are almost ready to print your forms. You will need to sign them before delivering them. We recommend you sign electronically now, before you print. You can sign using your computer mouse, or sign on your phone with your finger.

[← Back](#)



Share for
signature



Sign on my
phone



Sign on this
computer



Sign after I
print

Help

[Getting Started](#)

About You

[About Your Landlord](#)

[About Your Court Case](#)

[About Your Tenancy](#)

[Claims and Defenses](#)

[Discovery](#)

[Signature](#)

[Conclusion](#)

Language: English [Español](#) [Tiếng Việt](#) [Português](#) [中文](#) [Kreyòl](#)



Your tenant rights in Massachusetts

Watch the video below to learn a little more about the eviction process. You can also visit the [MassLegalHelp](#) website.



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Getting Started

About You

About Your Landlord

About Your Court Case

About Your Tenancy

Claims and Defenses

Discovery

Signature

Conclusion

or [register](#) to save your progress.

suggestions, or comments? [Complete this su](#)

Language: English [Español](#) [Tiếng Việt](#) [Português](#) [中文](#) [Kreyòl](#)



Your eviction case

Did you get a 'Summons and Complaint' yet?

I have not yet received a summons and complaint.

I got a summons and complaint.

I signed a summons and complaint.

I mailed a summons and complaint.

[Back](#)

A written notice about your eviction case that tells you to go to court on a certain date.

Commonwealth of Massachusetts
SUMMARY PROCESS (EVICTON) SUMMONS AND COMPLAINT

Department _____ District No. _____
(to be filled in clerk's office)

Division _____ Court _____
(to be filled in clerk's office)

in _____
County (State)

NOTICE OF A COURT CASE TO EVICT YOU - PLEASE READ IT CAREFULLY
ESTA ES UNA NOTIFICACION DE UN CASO EN CORTE PARA DESALOJARLO.
LEA ESTE LEVANTAMIENTO CON CUIDADO.

TO DEFENDANT(S) TENANT(S) OCCUPANT(S) _____
 ADDRESS _____ CITY/TOWN _____ ZIP _____

You are hereby summoned to appear at a hearing before a Judge of the Court at the time and place listed below:
 DAY _____ DATE _____ TIME _____ COURT ROOM _____

COURT ADDRESS _____
(to be filled in by the court clerk and serve defendant or tenant)

in default against the complaint of PLAINTIFF'S LANDLORD (OWNER) _____
 STREET _____ CITY/TOWN _____ ZIP _____

that you occupy the premises at _____
 being within the judicial district of this court, and that the right of said Plaintiff Landlord/Owner
 because _____

and further, that I _____ and in whose favor according to the following account:
 WITNESS: _____ ACCOUNT NUMBER: (000000) _____

FILED BY: _____
 MAILED BY: (PLAINTIFF'S NAME) _____
 SIGNED BY: (PLAINTIFF'S NAME) _____ SIGNED BY: (PLAINTIFF'S NAME) _____
 NOTED BY: (PLAINTIFF'S NAME) _____ NOTED BY: (PLAINTIFF'S NAME) _____

NOTICE TO EACH DEFENDANT/TENANT/OCCUPANT: At the hearing on _____ you (or your attorney) must appear in person to present your defenses. You (or your attorney) must also file a written answer to this complaint. An answer to your response stating the reasons why you should not be evicted and any, in residential cases, include any claims you have against the Landlord, also Answer Form, is available in the clerk's office whose telephone number is _____ You must file (deliver or mail) the answer with the court clerk and serve (deliver or mail) a copy on the landlord or landlord's attorney at the address shown above. The Answer must be received by the court clerk and received by the landlord (or the landlord's attorney) no later than Monday, _____ which is the first Monday after the "return date" listed above. The copy date is the day by which your landlord must file the complaint with the court clerk.

but I did not get a letter that told me to

summons and complaint)

I have a new court date coming up.

What is your current address?

address*

12

unit

city*

state*

- 📍 125 Summer Street Boston, MA, USA
- 📍 121 Webster Avenue Chelsea, MA, USA
- 📍 121 Seaport Boulevard Boston, MA, USA
- 📍 1282 Boylston Street Boston, MA, USA
- 📍 125 Bowker Street Boston, MA, USA

powered by Google

Information about Bob Smith.

Look at your [summons and complaint](#) while answering this question.

What type of landlord do*
you have?

My landlor

My landlor

city/governmental agency.

Might include "LLC" in the name. Many landlords, except very small landlords, are companies or agencies.



What court is your case being heard in?

We have tried to fill in the name of the Housing Court that serves your address.

Look at the upper-right-hand corner of the [Summons and Complaint](#) form. If the information doesn't match, change the court name to match the information on your [Summons and Complaint](#).

Commonwealth of Massachusetts
SUMMARY PROCESS (EVICTION) SUMMONS AND COMPLAINT

Housing Court	Department	Court Name	Docket No. <u>18-SP-000001</u>
Eastern	Division	<input checked="" type="checkbox"/> Residential	(To be added by clerk's office)
Suffolk	ss	<input type="checkbox"/> Commercial	Entry Date: <u>Jan. 8, 2018</u>
		County	

NOTICE OF A COURT CASE TO EVICT YOU - PLEASE READ IT CAREFULLY
ESTA ES UNA NOTIFICACION DE UN CASO EN CORTE PARA DESALOJARLE -
FAVOR DE LEER EL MISMO CON CUIDADO

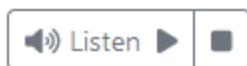
Court name*

Eastern Housing Court

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Language: English [Español](#) [Tiếng Việt](#) [Português](#) [中文](#) [Kreyòl](#)



It looks like you may qualify for free legal help

Because of where you live, you may qualify for free legal help from [Greater Boston Legal Services](#).

To find out, we need to ask you a few more questions. **You are still responsible for delivering your forms to court and your landlord on your own.**

Would you like to find out more?

[← Back](#)

Ask me now

Remind me later

Skip


Help



Congratulations! You finished the interview!



Great work! Now you need to print, deliver, and go to court.

- 1** Download and print three copies of the  PDF below. We created two forms, combined into one PDF: Answer and Discovery.
- 2** Deliver one copy to your landlord, Bob Smith, at their address, no later than February 8, 2023. Deliver a second copy to the Eastern Housing Court. Keep one copy for yourself.
- 3** Your landlord should give you [discovery](#) by February 18, 2023. File a [motion to compel discovery](#) if needed on February 23, 2023
- 4** **Get ready for court and show up on TBD.** Because of the Covid-19 emergency, your court date may change. Call the court to be sure.

Your Forms (Answer and Discovery)

 [Forms to print and file today](#)

 [Motion to Compel Discovery \(save this until after February 18, 2023\)](#)

 **Optional:** [Download a copy in Microsoft Word format to edit](#)

ANSWER FORM
COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT

Suffolk County, ss

Eastern Housing Court

DOCKET NO:

Bob Smith,
Plaintiff – Landlord(s)

vs.

**SUMMARY PROCESS ANSWER
WITH COUNTERCLAIMS
WITH JURY TRIAL REQUEST**

Jane Smith
Defendants(s) - Tenants

TRIAL DATE: Rescheduled Trial Date: TBD (Discovery requested)

Facts

1. My name is Jane Smith.
2. I live at 125 Summer Street, Boston, MA 02111. I moved in on or about February 7, 2023.
3. I pay \$1,000.00 in rent per month.
4. I have a written lease

UpToCode





UpToCode

- Helps tenants understand what safe according to the state sanitary code
- Helps tenants document repairs that are needed by uploading photos and other information about the problem
- Helps tenants get repairs through notice to landlord, inspector, or court
- Helps tenants prepare for housing inspectors

Translated into Spanish, Portuguese, Chinese, and Haitian-Creole

- Getting started
- List problems
- Choose a solution
- Answer questions
- Preview and sign
- Download

Language: English [Español](#) [Português](#) [Kreyòl](#)



You deserve a safe and decent home

Need help with repairs or stopping landlord harassment? Choose a task to get started.



Explore problems and solutions

Explore problems room by room and get your landlord to fix them.

Start exploring



Get an order from a judge

Get an emergency order or an order for your landlord to pay you money.

Get help in court



Defend against an eviction

Getting evicted? Stop the eviction before you do anything else.

Defend against an eviction


➔ [Sign-in](#) or [register](#) to save your progress (optional).

Why do you need to take your landlord to court?

Choose any that apply*

I need the court to enforce an order from a housing inspector

I need repairs to my home now

I needed repairs to my home in the past 6 years 

My landlord changed my locks or moved my things or threatened to do so

My landlord went into my home without permission

My landlord went into my home without giving me enough notice

My landlord made me pay for utilities but we did not have a written agreement

My utilities were shutoff

I need help with something else

My landlord is ignoring a court order

Language: [English](#) [Español](#) [Português](#) [Kreyòl](#)



Jane, you can do this!

We will start by asking you about the repairs that you need.

Did you know?

“Retaliation” is illegal. Your landlord cannot evict you or raise your rent because you complain about problems in your home. [Read more.](#)

[← Undo](#)


[Get started](#)

→] [Sign-in](#) or [register](#) to save your progress (optional).

Language: [English](#) [Español](#) [Português](#) [Kreyòl](#)



Before you take your landlord to court

Do you have an active*
eviction case in court? 

Yes

No

Does your landlord know*
about the problems that
you need them to fix?

Yes

No

Have you called a town or
city inspector about the
problem?

Yes

No

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Do you have any of the problems listed below?

This is a list of common problems that tenants have. Tap the question mark icon to get more information about each problem.

You can include any problems you have had over the last **6 years** in this apartment, even if they are fixed now.

▶ [What problems should I list?](#)

What repair problems do*
you have?

No heat (heat must be provided between September 16 and June 14th)



Not enough hot or cold water for more than 24 hours



Locks are missing or not secure for the apartment



Outside windows or doors do not lock



Mice or rats





Cockroaches





Bedbugs





 Emergency >


 Bathroom >


 Bedroom >


 Exits >


 Safety >


 Lighting >


 Electricity and Gas >


 Garbage >


 Building Structure >

 Living area >


 Kitchen >

 Porch and balcony >


 Lead Paint >

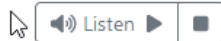
 Heating >

 Ventilation and light >

 Water >

 Rodents and insects >

 General maintenance >



More information about "no heat (heat must be provided between September 16 and June 14th)"

Describe the problem using your own words (write about 1 sentence; optional)

Was the problem there* when you moved in?

Yes

No

The problem is fixed

Take or upload a photo

Add a photo or other proof of the problem, if you have it

✕

Drag & drop files here ...

Did you send the landlord a demand letter?

This is sometimes called a 93A demand letter, a 30 day demand letter, or a request for settlement.

I sent my landlord a
demand letter*

Yes

No

When did you send it?*

02/07/2023



Did you get a reasonable
settlement offer within 30
days? ?

Yes

No

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Filing for free

The court may charge you a fee to file these forms.

The cost can include:

- \$0.00 to get an emergency order, and
- \$195.00 to file the case in court.

But most tenants do not pay anything. You can file for free if:

1. You earn less than 125% of the Federal Poverty Level for Massachusetts, or
2. You get certain benefits, like Mass Health, or
3. You cannot afford to pay the fee.

Would you like to ask the^{*}
court to let you file for
free?

Yes

No

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Language: [English](#) [Español](#) [Português](#) [Kreyòl](#)



Based on your answers, it looks like you qualify for a fee waiver

Based on the information you gave us so far, you should qualify for a fee waiver. Learn more at [MassLegalHelp.org](https://www.masslegalhelp.org).

You receive these public benefits: Medicaid


▶ [What are the rules for a fee waiver?](#)

On the next screen, we'll ask you about the specific fees you want waived.

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Deciding on your next steps

Do you have an active*
eviction case in court? 

Yes

No

Make sure you respond to the eviction. You can use [MADE](#) to stop the eviction case. You shouldn't start a new court case with UpToCode.

Does your landlord already*
know about at least one of
the problems in your home?

Yes

No

Is your landlord already*
fixing all of the problems?

Yes

No

Are other tenants in your*
building also having housing
problems?

Yes

No

I don't know

Have you reported all of the*
problems to a city housing
inspector?

Yes

No

What would you like to do?

Remember, you have the right not to be [retaliated](#) against.

Save or print a copy of my checklist for later

Tell my landlord about the problems

Organize with my neighbors or other tenants in my city

Get a city inspection

Ask a judge to enforce an order from a housing inspector

Ask for a fair settlement (consumer protection demand letter or settlement letter)

Ask a judge to order my landlord to fix a problem or sue my landlord for money

Tell a judge that my landlord is ignoring the judge's order

None of the above

[< Undo](#)

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Jane Smith
60 Fenwood Road
Boston, MA 02115

How to use this record

This document is a record of the problems that you reported you have in your home. To use this document:

1. Keep a copy for your records.
2. Make sure your landlord has notice of each problem on this list. You can use the letter that is in UpToCode to give your landlord notice.
3. If you call a city housing inspector, keep this list with you when they visit. It can help you make sure that they spot all of the problems that you found.

Emergency problems (fix required in 24 hours)

No heat (heat must be provided between september 16 and june 14th)

Citation to sanitary code: 105 C.M.R. 410.201

Deadline in sanitary code: 24 hours after notice

Began: start of tenancy

Common problems

No heat (heat must be provided between september 16 and june 14th)

Citation to sanitary code: 105 C.M.R. 410.201

Deadline in sanitary code: up to 24 hours after notice

Began: start of tenancy



UpToCode's court case features

- Incorporates emergency relief + request for money damages
- Translation, discovery, and other upgrades coming soon

An easy way to record your housing search!

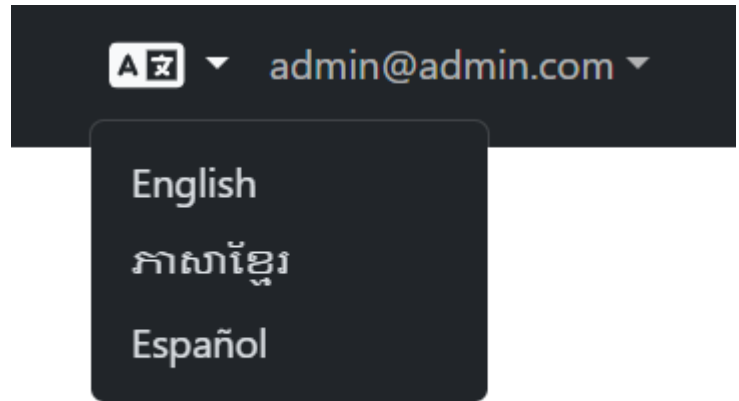
Keeping track of all the properties you contact and visit can be hard, but this tool is here to help guide that process.





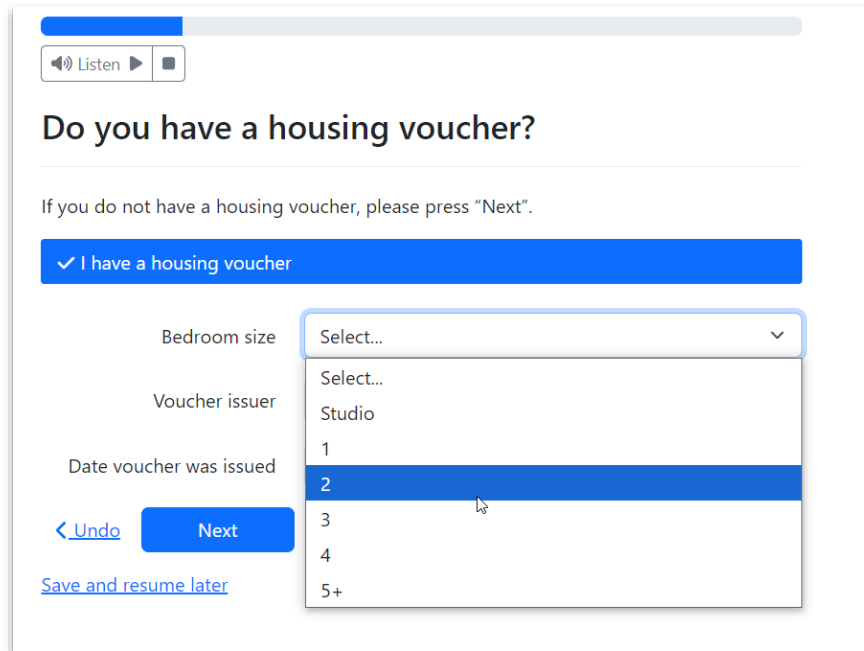
Available in 3 languages




- English
- Khmer
- Spanish





For voucher search and agreements to vacate



 Listen  

Do you have a housing voucher?

If you do not have a housing voucher, please press "Next".

I have a housing voucher

Bedroom size

Voucher issuer

Date voucher was issued




[< Undo](#)

[Save and resume later](#)

- Select..
- 1
- 2**
- 3
- 4
- 5+



Track as many properties as needed


 Listen  

Information about the first Property.

Property Address*

Link to online posting of property




I contacted the property listing

Date of Contact 

Name of person contacted



Phone number contacted for property


Email address contacted for property

 Listen  

Properties

So far you have added one properties.

Address	Actions
120 Tremont St	 Edit  Delete

 Add another

[<Undo](#) [Next](#)

[Save and resume later](#)



All done

Thank you Jane Tenant. Your form is ready to download and deliver.

View, download and send your form below. Click the "Edit answers" button to fix any mistakes. [Edit answers](#)

Housing Search Log

[View](#)

[Download](#)

Get a copy of the documents in email

Include an editable copy

Email



[Send](#)

** You can email this form to yourself, your attorney, your housing authority worker or advocate, or anyone else using the email box above. Be sure to press "send". If you do not receive the email, please check your spam folder. **

[Undo](#)

HOUSING SEARCH LOG

NAME: Orla Woods

NUMBER OF PROPERTIES: 1

Address: Dolores sit eu volup		
Name of Contact:		
Contact Phone/Email:		
Link: Temporibus et dolor		
		Date
Contacted?		
Visited?		
Applied?		
Status: Waiting to visit the property.		
Notes:		



Links for further reading

- gbls.org/MADE
- madeuptocode.org
- courtformsonline.org