

Eviction freeze

Under a new law, no “non-essential evictions” will be allowed to move forward in Massachusetts during the COVID-19 crisis. Non-payment of rent, no cause & no fault evictions, and even most cause evictions are considered “non-essential.”¹ The law is in effect until August 18, 2020 or until 45 days after the Governor lifts the state of emergency, whichever comes first. The Governor can extend the date so that the protections don’t end before the end of the state of emergency.

For “non-essential” residential eviction cases:

- The landlord can’t send you any notice that says you have to move, including: notices to quit, 14-day notices, 30-day notices, notices to vacate, & notices to terminate the tenancy.

For “non-essential” residential & small business² evictions:

- no new eviction cases can be filed in court
- no judgments (including agreements for judgment or default judgments) can be entered by the court
- no court dates can be scheduled, including trials
- no filing deadlines can be imposed by the court
- no court orders allowing an eviction (“executions”) can be issued
- no sheriffs or constables can physically move tenants out (no “levy on executions”)
- no requests by a tenant for more time to move (“stays of execution”) can be denied by the court

These protections apply to new evictions & cases that were already pending in court at any stage of the process. You are even protected if you already signed an agreement to move or lost your case, as long as you remain physically in your home. **You do not need to move out!**

No late fees for renters

- If a tenant misses a payment because of a financial impact from COVID-19, the landlord can’t charge late fees or report the nonpayment to consumer reporting agencies, if the tenant lets the landlord know within 30 days of the nonpayment.
- The state is developing a form for this, & we will post it when it is available.
- Tenants are still responsible for paying rent. The [Residential Assistance for Families in Transition \(RAFT\)](#) program may be able to help with back rent, regardless of immigration status.

Foreclosure freeze & pause on mortgage payments

- No foreclosures on owner-occupied 1-4 family residential properties
- A servicer must grant a pause on payments, which can be up to 180 days, for homeowners who show they can’t pay because of a financial impact from COVID-19. The missed payments must be added to the end of the loan, & lenders cannot report negative marks to a credit reporting agency.
- During this pause, the lender cannot impose any fees, penalties or interest beyond what would normally occur had the homeowner made all payments on time & in full.

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¹ Cause evictions involving criminal activity or lease violations that impact the health & safety of others are *not* considered to be non-essential and may continue.

² Businesses are considered “small businesses” under the law unless they operate multi-state or multi-nationally, are publicly traded, or have 150 or more full-time equivalent employees.