



MASSACHUSETTS TRIAL COURT FILINGS, ACTIONS, AND DISPOSITIONS OF SUMMARY PROCESS CASES

Chapter 257 of the Acts of 2020 An Act Providing for Eviction Protections During the Covid-19 Pandemic Emergency

A Report to the

Clerk of the House

Clerk of the Senate

House Committee on Ways and Means

Senate Committee on Ways and Means

House Committee on Housing

Senate Committee on Housing

Joint Committee on the Judiciary

Submitted by:

Paula M. Carey

Chief Justice of the Trial Court

February 16, 2021

**Monthly Report to Support the Implementation of
Chapter 257 of the Acts of 2020
An Act Providing for Eviction Protections During the COVID-19 Pandemic Emergency**

I. INTRODUCTION

This report was prepared to comply with Section 2(c) of Chapter 257 of the Acts of 2020 “An Act Providing for Eviction Protections During the COVID-19 Pandemic Emergency.”

This monthly report summarizes the reporting requirements made by the legislation and presents summary statistics on eviction filings, actions, and dispositions from December 2020 through January 2021.

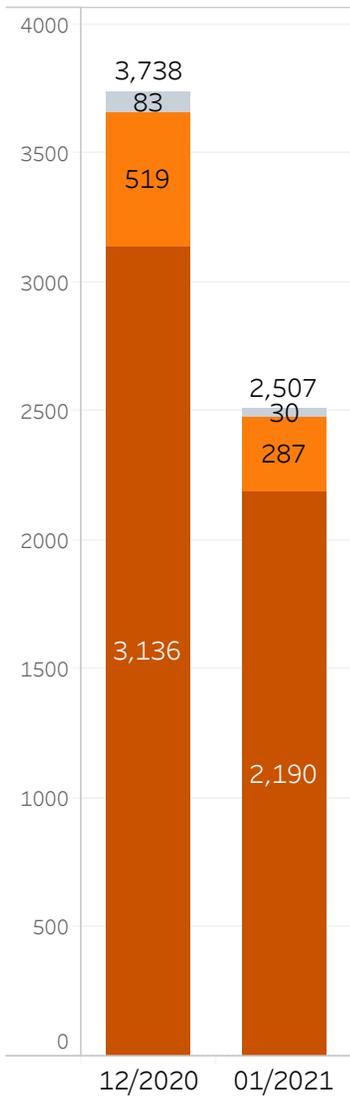
- Page 2: The number of actions for summary process entered and filed with each court having jurisdiction over an action for summary process.
- Page 3: The number of default judgments entered, delineated by the reason for the summary process filing.
- Page 4: The number of executions for possession orders granted, delineated by the reason for the summary process filing.
- Page 5: The number of continuances requested and granted due to pending applications for short-term emergency rental assistance pursuant to subsection (b).
- Page 6: The number of stays issued due to pending applications for short-term emergency rental assistance pursuant to subsection (b).
- Page 7: The average length of a continuance and stay granted under said subsection (b).
- Page 8: The number of stays requested, granted or denied pursuant to sections 9 and 10 of chapter 239 of the General Laws.
- Page 9: The number of landlords and tenants participating in pre-trial mediation, and to the extent practicable, the outcome of each mediation.
- Page 10: The number of landlords and tenants receiving legal representation and legal services through on-site court diversion and support resources.

Other relevant information pertaining to the eviction diversion initiative can be found at: <https://public.tableau.com/profile/drap4687>.

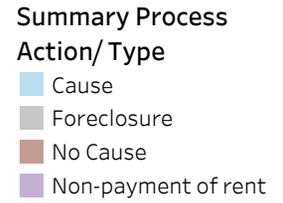
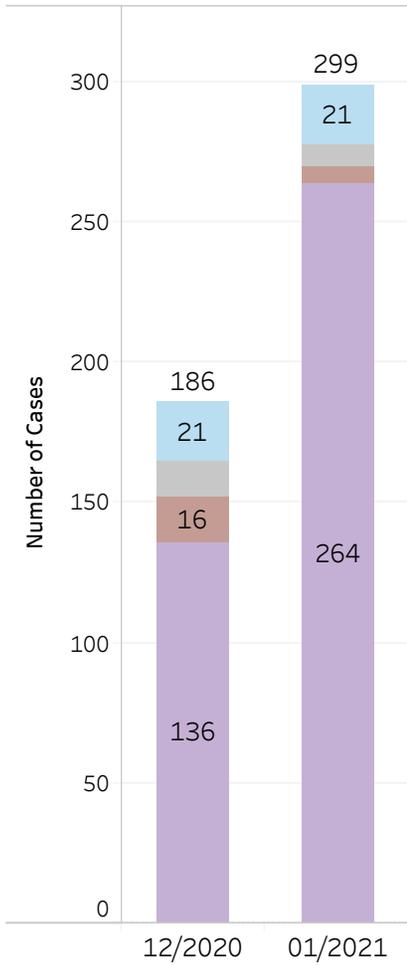
It is important to note that the Trial Court is in the process of configuring, implementing, and training on new procedures and business practices in MassCourts to accurately record continuances and stays due to pending applications for short-term emergency rental assistance. Figures reflect these new docketing procedures went into effect on February 5th. Data on continuances will be available in the upcoming March 15th report.

(i) Number of Summary Process Cases Filed Within Each Court Jurisdiction
by Month of Case Filing

Court Department
■ Boston Municipal Court
■ District Court
■ Housing Court

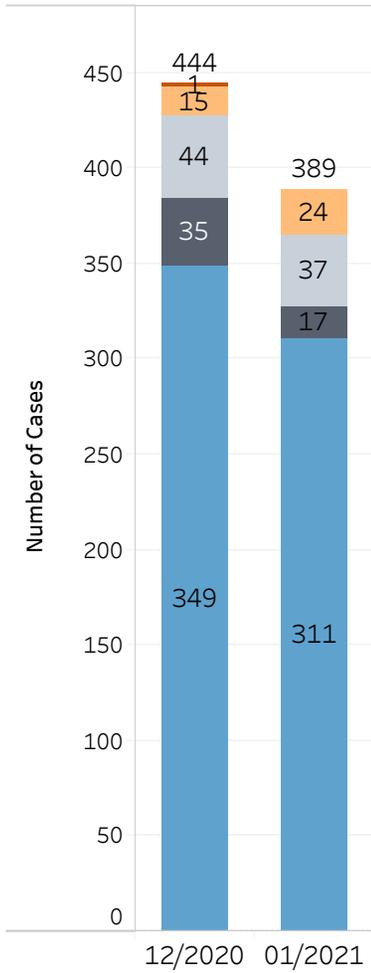


(ii) Number of Default Judgments by Summary Process Action/ Type



* Figures reflect the last default judgment entered at trial where there is no subsequent entry of vacated default judgment on summary process cases filed in Municipal/District Court or Housing Court. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.

(iii) Number of Executions Issued for Possession and/or Money Judgment
by Summary Process Action/ Type



Summary Process

Action/ Type

- Other
- Foreclosure
- Cause
- No Cause
- Non-payment of rent

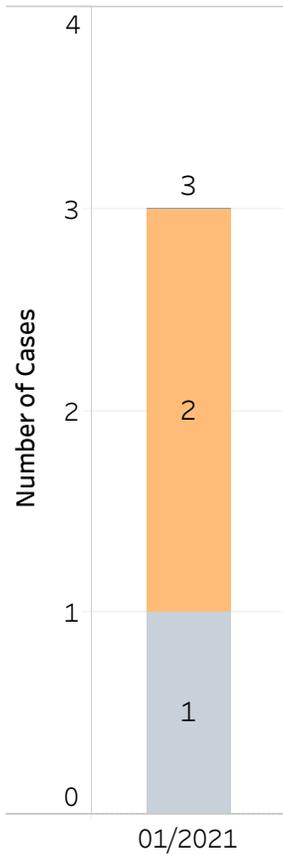
* Figures reflect the last execution issued for possession and/or money judgment on summary process cases filed in Municipal/District Court or Housing Court. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.

(iv) Number of continuances requested and granted due to pending applications for short-term emergency rental assistance pursuant to subsection (b)

Note: The Trial Court is in the process of configuring, implementing, and training on new procedures and business practices in MassCourts to accurately record continuances due to pending applications for short-term emergency rental assistance. These new docketing procedures went into effect on February 5th and data will be available in the upcoming March 15th report.

(v) Number of stays issued due to pending applications for short-term emergency rental assistance pursuant to subsection (b)

Department
Municipal/District Court
Housing Court

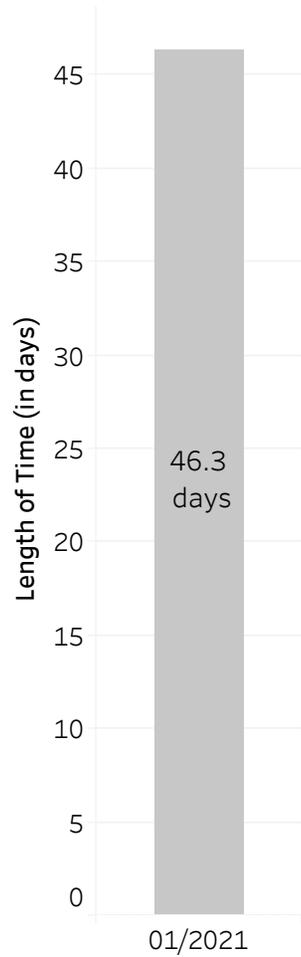


* Figures reflect unique cases with a stay issued on non-payment of rent cases filed in the Municipal/District Court or Housing Court. Data includes retroactive stays issued. For information regarding continuances granted, visit page five of this report. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.

Note: The Trial Court is in the process of configuring, implementing, and training on new procedures and business practices in MassCourts to accurately record stays due to pending applications for short-term emergency rental assistance. These new docketing procedures went into effect on February 5th.

Stays Issued
■ Stay issued

(vi) Average length of a continuance and stay granted under said subsection

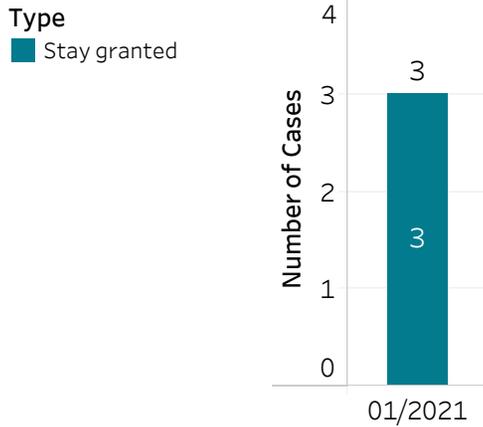


* Figures reflect the first stay issued on non-payment of rent cases filed in Municipal/District Court or Housing Court. Data reflects retroactive stays issued. The formula for the average length of time is the sum of the total length of time over the total number of cases with a stay issued. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.

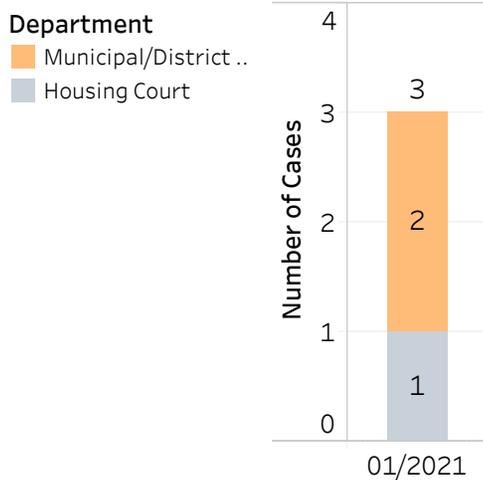
Note: The Trial Court is in the process of configuring, implementing, and training on new procedures and business practices in MassCourts to accurately record stays and continuances due to pending applications for short-term emergency rental assistance. These new docketing procedures went into effect on February 5th and data on continuances will be available in the upcoming March 15th report.

(vii) Number of stays requested, granted or denied pursuant to sections 9 and 10 of chapter 239 of the General Laws

Number of Stays Granted or Denied*



Number of Stays Requested*

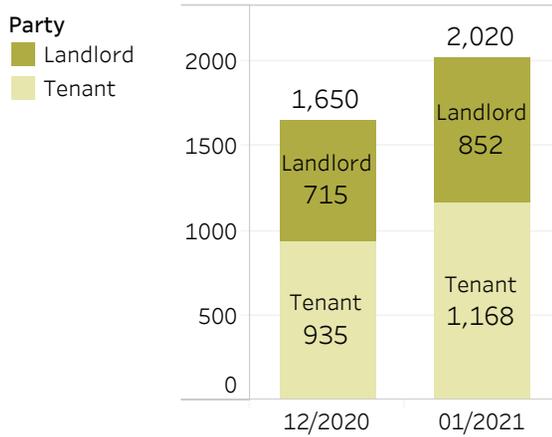


* Figures for Housing Court reflect stays requested, granted or denied. Figures for Municipal/District Court reflect stays granted. Data includes retroactive stays on non-payment of rent cases filed in the Municipal/District Court or Housing Court. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.

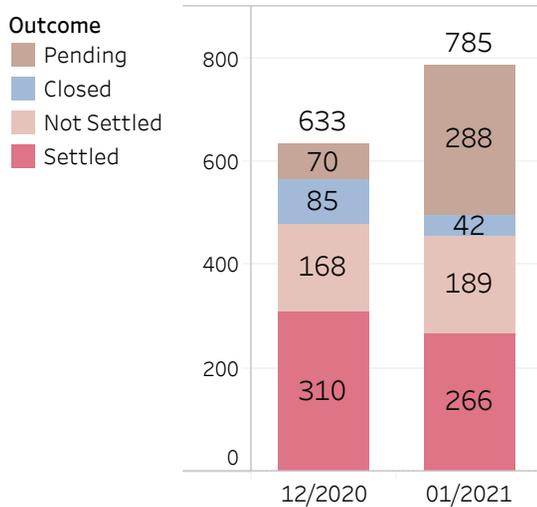
Note: The Trial Court is in the process of configuring, implementing, and training on new procedures and business practices in MassCourts to accurately record stays due to pending applications for short-term emergency rental assistance. These new docketing procedures went into effect on February 5th.

(viii) Number of landlords and tenants participating in pre-trial mediation and, to the extent practicable, the outcome of each mediation

Number of Landlords and Tenants Participating



Outcome of Mediation



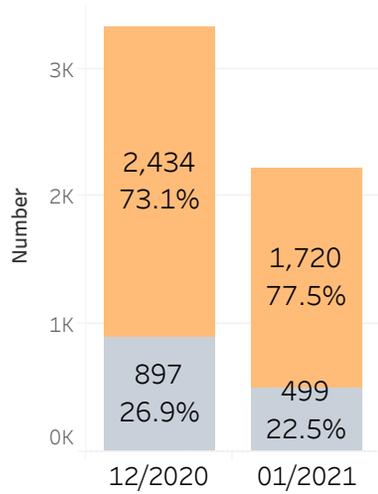
* Figures reflect the last mediation outcome on Housing Court non-payment of rent cases. Data is retroactive.

For the Boston Municipal and District Courts, there were 50 summary process residential cases referred to mediation. These cases involved 52 plaintiffs and 72 defendants. Mediation outcomes were not available at the time of data collection. Residential eviction cases may include a small proportion of cases based on grounds other than non-payment of rent.

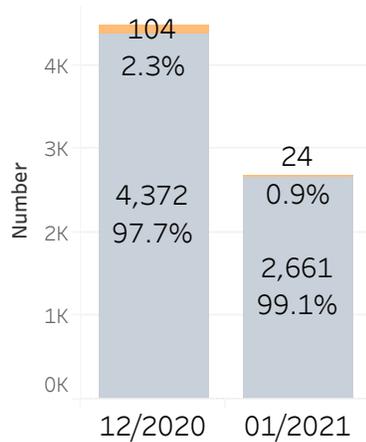
(ix) Number of Landlords and Tenants Receiving Legal Representation in Summary Process Cases by Month of Case Filing

Representation, Any Source
■ Represented, Ever
■ Pro Se

Landlords



Tenants



* A Massachusetts corporation, including a limited liability company, may not be represented in judicial proceedings by a corporate officer who is not an attorney licensed to practice law in the Commonwealth, except for small claims matters.

** Figures reflect non-payment of rent cases filed in Municipal/District Court or Housing Court. There is a delay between when a case is filed and when an attorney enters an appearance. Representation is recorded for the week that the case was filed. Data reflects retroactive attorney appearances. For Boston Municipal and District Court, residential eviction cases include a small proportion of cases based on grounds other than non-payment of rent.