

Statewide moratorium on evictions and foreclosures during the COVID-19 emergency...affecting all tenants, homeowners of 1-4 family owner occupied homes, and small businesses

On April 20, 2020 Massachusetts passed an emergency law to stop evictions and foreclosures during the COVID-19 state of emergency.

I am a tenant. How does this law protect me?

The law temporarily stops most evictions. For evictions covered by the law:

- Your landlord is not allowed to send you **any** eviction notices. They must **not** send you a:
 - Notice to Quit,
 - 14-day notice,
 - 30-day notice,
 - Notice to vacate, or
 - Any other kind of notice that says you must move out.
- Your landlord cannot file a new eviction case against you in court, for:
 - Non-payment of rent,
 - No-fault/no cause, or
 - most cause reasons.
- Courts cannot schedule hearings or other events in court.
- Courts cannot enter judgments, including "agreements for judgment" or default judgments.
- Courts cannot issue orders to evict, "executions."
- Landlords are not allowed to give executions to sheriffs to serve "48 hour notices."
- Sheriffs, constables and movers must not physically move you out of your home.

These protections **may not** apply if your landlord claims you were involved in criminal activity or lease violations that endangered the health and safety of others. Contact a [legal services office](#) if you are not sure whether the law protects you.

What if I already had an eviction case in court before the moratorium was passed?

Your case is covered by the moratorium as long as your landlord does not claim there was criminal activity or lease violations endangering the health/safety of others. For eviction cases covered by the law:

- All deadlines in your case are put on hold as long as the moratorium is in effect.
- No court hearings can be scheduled.
- Courts cannot enter judgments, including agreements for judgment, or issue orders to evict, "executions."
- Sheriffs and movers cannot move you out of your home.

Do I still owe rent?

You are still **responsible** for paying your rent. See [Where can I get help paying my rent?](#) ..[community groups will be working for a second law to give tenants much time to pay back any rent not paid during the Moratorium and for rent subsidy funding to help tenants afford the rent]. If you have an emergency, like if your landlord tries to lock

you out, you can still call the court for help. See [information about illegal evictions or utility shutoffs](#).

Can my landlord charge me a late fee if I miss the rent?

If the reason you are late with rent is related to COVID-19, give your landlord a letter within 30 days of the date rent was due. Explain that "the nonpayment was due to a financial impact from COVID-19." If you provide this letter within 30 days of the rent due date the landlord cannot charge you a late fee OR make a negative report to a credit agency.

I am a homeowner or a landlord. How does this moratorium protect me?

- Lenders cannot foreclose on owner-occupied 1-4 family residential properties.
- If you ask your lender to "pause" [mortgage payments](#) because you have been affected by COVID-19, lenders must agree to put you in a "mortgage forbearance" program [use the term deferral].
- The forbearance [deferral] program can last up to 180 days, and fees, penalties, and interest should not accrue during that time. All missed payments should be added to the end of the loan.
- If you are a homeowner and you are in [mortgage](#) forbearance, your lender is not allowed to report negative remarks to any [credit reporting](#) agency.
- If you are a landlord you may use your tenants' last month's rent to cover expenses, but you must repay these funds with interest.

What about for small businesses? They are covered by the eviction moratorium too if they have less than 150 employees, are not a multi-state operation and are not a publicly traded company.

How long does the moratorium last?

The moratorium 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 end date of the moratorium so that it does not end before the end of the state of emergency.

How can I get help?

If you get an eviction notice, a court complaint or any other papers related to an eviction, contact [your local legal aid office](#).

[Also contact the hotlines of community groups helping tenants and homeowners: City Life/Vida Urbana (617) 934-5006, Springfield No One Leaves (413) 342-1804, Lynn United for Change (781)346-9199

You may be able to get help paying rent or other housing expenses. For housing resources or to apply for assistance from the Residential Assistance for Families in Transition (RAFT) program, contact your region's Housing Consumer Education Center at www.masshousinginfo.org or call 1-800-224-5124. See information about [the Residential Assistance for Families in Transition](#), or RAFT, program.

For information about programs that may be available to help pay rent, see [Help with rent](#).

See the full text of the moratorium law, [Chapter 65 of the Acts of 2020](#).
See the state's [emergency regulations, forms, guidance, and other resources](#).

<https://www.masslegalhelp.org/covid-19/housing> link to the above fact sheet

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Note: Sections in brackets [] added by Massachusetts Communities Action Network as additional information.