

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

TRIAL COURT
HOUSING COURT DEPARTMENT
SOUTHEAST DIVISION
CIVIL ACTION NO:

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS,

Petitioner,

v.

[NAME], HIS ESTATE, SUCCESSORS OR
ASSIGNS IF ANY as the owner of the property
located at [ADDRESS], Massachusetts, and
BANK OF AMERICA, N.A., as a mortgagee and
party with an interest in the property located at
[ADDRESS], Massachusetts,
Respondents.

PETITIONER'S MOTION FOR ALTERNATIVE SERVICE OF PROCESS
UPON RESPONDENT [NAME], HIS ESTATE, SUCCESSORS,
OR ASSIGNS, IF ANY

Now comes Maura Healey, Attorney General for the Commonwealth of Massachusetts ("the Petitioner"), and hereby respectfully requests that this Court allow Petitioner to proceed with alternative service of process – **by first class mail and by certified mail, return receipt requested** – in the above-referenced matter upon [NAME], Executor of the Estate of [NAME].

As grounds for this motion, the Petitioner states the following:

1. The Petitioner is seeking enforcement of the State Sanitary Code Provisions on the property located at [ADDRESS], Massachusetts (the "Property") and owned by [NAME].
2. The Property is abandoned and has numerous long-standing Code violations that

pose a serious risk to the health, safety, and well-being of abutters and residents of the community in which it is located.

3. As set forth in the Affidavit of Meaghan Olejarz, [NAME] is deceased. The Office of the Attorney General made a diligent effort to locate living heirs, in order to notify them of the Code violations at the Property, in an attempt to resolve this matter short of litigation and for service of process in this matter. In doing so, the Office of the Attorney General was informed that one such living heir, [NAME], had been appointed as Executor of the Estate of [NAME] by the Bristol County Probate and Family Court on April X, XXXX.

4. [NAME] has an [ADDRESS].

For efficiency and in order to effect service at the address listed above, the Petitioner respectfully requests that the Court enter an order pursuant to Mass. R. Civ. P. 4(c) and 4(e), allowing for service of the summons and the Petition for Enforcement of the State Sanitary Code packet, by certified mail, return receipt requested, and First Class U.S. Mail, at the mailing address above.

WHEREFORE, the Attorney General requests this Court allow alternative service of process.

Respectfully submitted,

MAURA HEALEY
ATTORNEY GENERAL
By her attorney,

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Dated: November XX, XXXX