

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

HOUSING COURT DEPARTMENT
EASTERN DIVISION
C.A. NO. 19H84CV XXXX

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS

Petitioner

v.

THE [NAME] TRUST as owner of the property
located at [ADDRESS]

Respondent

MOTION UNDER MASS. R. CIV. P. 4(c) TO APPOINT SPECIAL PROCESS SERVER

Now comes Maura Healey, Attorney General for the Commonwealth of Massachusetts (the “Commonwealth”) and hereby requests that this court allow the Commonwealth to proceed with alternative service of process in the above-referenced matter. As grounds for this motion, the Commonwealth states the following:

1. The petitioners are seeking enforcement of the State Sanitary Code Provisions on the property located at [ADDRESS], Massachusetts (the “Property”).
2. The Property is abandoned and has numerous long-standing code violations which pose a serious risk to the health, safety, and well-being of abutters and residents of the community in which it is located.
3. The owners of record of the Property is the Respondent [NAME]Trust.
4. In accordance with Mass R. Civ. P. 4 (c), the Petitioner requests that the Court appoint Kevin McCarthy, Director of the Investigations Division of the Office of the Attorney General, or his designee, as process server in the above-captioned action, for the purpose of serving court orders and papers upon [NAME], successor trustee of the [NAME] Trust.

5. Upon information and belief, [NAME] is a natural person with a last and usual place of abode of [ADDRESS], as such personal service is appropriate under Mass. R. Civ. P. 4(d)(1).

6. The Commonwealth further states that Kevin McCarthy or his designee is a qualified person over the age of eighteen and is not a party to this action. As grounds for this motion, the Commonwealth states that the need for immediate service warrants the appointment.

WHEREFORE, the petitioner requests this court allow alternative service of process.

Respectfully submitted

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ATTORNEY GENERAL
By her Attorney

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