

**Sample Language for Agreements for Judgment  
To Preserve EA Eligibility When Consistent with Underlying Facts**

**NONPAYMENT EVICTION – LOSS OF INCOME** – [Private Housing Only]

**Change in household composition:** “The parties acknowledge that Defendant was unable to make rental payments due to a loss of income when her former partner, [partner’s name] moved out of the unit on [DATE]. [Partner] was contributing over 10% of the family’s total income, and when [partner] moved out of the unit, Defendant had to pay over 50% of her income in rent and utilities.”

**No-fault loss of income source:** “The parties acknowledge that Defendant was unable to make rental payments due to a loss of income when she was laid off from her job at [name of employer] on [DATE]. Defendant lost over 10% of her total income and had to pay over 50% of her income in rent and utilities.”

**NONPAYMENT EVICTION –DISABILITY OR MEDICAL CONDITION** – [Private or Public/Subsidized Housing]

**Disability that caused nonpayment:** “The Parties acknowledge that the Defendant’s nonpayment of rent was caused by the Defendant’s disability, [state disability if tenant agrees]. Due to [X] disability, Defendant was unable to take actions necessary to cure the arrearage in a timely manner.”

**Medical condition and extraordinary expenses:** “The Parties acknowledge that the Defendant was unable to pay rent because of [X medical condition], which led her to incur significant medical expenses. Her medical expenses amounted to approximately [amount], which was over 10% of her income, and resulted in a rent burden of over 50% of her income.”

*\*The language in this section may be adapted for foreclosure-eviction cases involving a former homeowner who defaulted on the mortgage due to a loss of income, a medical condition, or disability.*

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**CONDUCT BY A PERSON NOT PART OF THE HOUSEHOLD APPLYING FOR SHELTER** – [Private or Public/Subsidized Housing]

**Criminal conduct:**

**Domestic abuse:** “The parties acknowledge that any and all criminal conduct was committed by the Defendant’s former boyfriend, a domestic abuser, who is not a part of the household applying for shelter.”

**Mental illness of guest/non-household member:** “The parties acknowledge that any and all criminal conduct was committed by Defendant’s [boyfriend/brother/sister/guest/etc.], [name of non-EA household member], who has been diagnosed with [x] mental illness, and whose behavior on the property Defendant was not able to control.”

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**EVICTION FOR DESTRUCTION OF PROPERTY** – [Private or Public/Subs. Housing]

“The parties acknowledge that the eviction was brought for the sole reason that [insert the non-disqualifying reason], notwithstanding the Plaintiff’s statement in the Notice to Quit regarding destruction of property.”

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For more information, contact: the Massachusetts Law Reform Institute [617-357-0700](tel:617-357-0700) (Liza Hirsch, ext. 321 or [lhirsch@mlri.org](mailto:lhirsch@mlri.org)).

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