

## **NEW HOUSING COURT RULES**

Written by Kevin Walsh, Esq.

Updated 5.18.23

All Massachusetts landlords need to be aware of new Housing Court rules which become effective June 5, 2023. These rules have been issued by the Housing Court Department as a new Standing Order 1-23, which is replacing the Court's Third Amended Standing Order 6-20.

The new Standing Order is a fairly lengthy document which contains several new requirements for landlords. These new rules are generally split into general court rules, and rules specifically governing procedures for eviction cases.

One part of the new rules imposes an additional filing obligation on landlords. For all cases filed in court after June 5, 2023 (and for some that were filed before then), landlords must follow an additional document service requirement. After the court schedules a case's tier one meeting, the Clerk's office will send to the landlord a written notice of the first-tier event, and this notice shall include: (1) a written notice of the first tier event; (2) an information sheet that sets forth resources available to litigants to help them resolve their cases; and (3) an instruction and information sheet. Upon receipt of this first-tier event notice, a landlord must hire a constable or deputy sheriff to serve this notice upon the tenant(s) at least fourteen days before the scheduled first tier event. The landlord must thereafter files proof of service of this notice with the court before the first-tier event starts.

The new rules also make clear that Housing Courts recognize the importance of in-person hearings for most court events. Therefore, expect that more business than before will be done in-person, and much less will be handled via Zoom conferences. Landlord's may request that hearings be conducted virtually by zoom under certain circumstances.

These and other rules pose additional obligations for landlords. We at the VLP can assist small landlords in our program navigate and understand new rules.

For more information about the Housing Court, go to:  
<https://www.mass.gov/orgs/housing-court>.