

Transfer

Representing Yourself in an Eviction Case

Why Transfer Your Case to Housing Court?

If your eviction case is in a District Court or a Boston Municipal Court, you have a right to have it transferred to a Housing Court.

Housing Courts are more familiar with landlord/tenant laws than other courts. You are also likely in Housing Court to get more assistance resolving your case.

To transfer your case you must file the form in this booklet no later than the day before your trial starts in the District Court or the Boston Municipal Court.

There are six Housing Courts in Massachusetts. To see what Housing Court covers your area you can call any of the numbers below or see **Where the Housing Court Sits and What Communities Each Sitting Covers** by going to:

<http://www.housingcourt4all.org/where-the-housing-court-sits.html>

Massachusetts Housing Courts

Eastern Housing Court: 617-788-8485

Northeast Housing Court: 978-689-7833

Southeast Housing Court: 508-677-1505

Central Housing Court: 508-831-2050

Western Housing Court: 413-748-7838

Metro South Housing Court: Anticipate Opening 2018

Currently there is a temporary order saying that the District Court Judges in Norfolk County as Housing Courts Judges. We anticipate that this will change in 2018.

How To Transfer Your Case To Housing Court

Fill Out the Notice of Transfer Form

The Transfer Form in this booklet is based on the official *Notice of Transfer to Housing Court* form which appears on the Housing Court Department's website at: www.mass.gov/lists/housing-court-forms

Complete the form by following these instructions. The letters in these directions match those on the top part of the form.

- a. Write the name of your county.
 - b. Write the landlord's name as it is written on the Summons and Complaint.
 - c. Write your name as it is written on the Summons and Complaint.
 - d. Write the name of the District Court or the Boston Municipal Court in which your case is currently scheduled for trial.
 - e. Fill in the Docket Number of your case, if you know it. The Docket Number is the number the court has assigned to your case. You can ask the court for it.
- In the middle of the form after the words "geographic jurisdiction of the _____" fill in which Housing Court you are transferring your case to:
Eastern | Northeastern | Southeastern | Metro South | Central | Western
 - Sign and date the form.
 - Write your name, address, and phone number.
 - Fill in your landlord's name, address, and telephone, and if your landlord has a lawyer, that person's name, address, and telephone.

Deliver the Form

When the form is completed, make 3 copies in addition to the original. Give the original to the District or Boston Municipal Court clerk's office in which your case is currently scheduled for trial, a copy to the Housing Court clerk's office to which you are transferring case, and a copy to your landlord or to his or her lawyer. Keep a copy and bring it to the housing court when it schedules your appearance.

The clerk of the District or Boston Municipal Court and the clerk of the Housing Court must receive these forms no later than the **day before** your trial. It may be easier to submit the Transfer form with your Answer.

Your case will automatically be transferred if you get copies of the completed Transfer form to the District or Boston Municipal Court and Housing Court on time. There is **no hearing required** to transfer the case. **A transfer to Housing Court will probably postpone your case. The Housing Court will notify you and your landlord of the new trial date.** However, if you do not hear from the Housing Court, call to double-check the date of your trial.

FORM

(Please print or type)

COMMONWEALTH OF MASSACHUSETTS TRIAL COURT

a. _____, ss:
County

d. _____
Name of Court

b. _____
Plaintiff(s) – Landlord(s)

e. _____
Docket No. Summary Process

vs.

c. _____
Defendant(s) – Tenants(s)

NOTICE OF TRANSFER TO HOUSING COURT

The undersigned states that a trial has not yet begun in this originating court, that this action is within the subject matter and geographic jurisdiction of the _____ Housing Court, M.G.L. c. 185C, §§3 and 20, and that a copy of this transfer notice has been served upon all opposing parties as listed below.

Signature and Date:

Name:

Address and Telephone:

Email (if any)

To: _____

To: _____

Send copy to applicable Housing Court

