

## **Moratorium on Evictions and Foreclosures**

The email below succinctly summarizes the moratorium on evictions and foreclosures that went into effect Monday, April 20. Please forward to your members, colleagues and anyone else who should have this. To repeat: No tenant should be moving out of his/her home at the insistence of a landlord. You are welcome to direct any tenant faced with such a threat to me. My law firm, Community Legal Aid and others are available to consult with any such tenant with no charge.

Doug

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Email from Andrea M. Park, Housing & Homelessness Attorney:

At about 3pm on Monday, April 20, the Governor quietly signed H 4647, the strong (strongest in the country!) eviction and foreclosure moratorium that came out of the conference committee last week. That means it's (finally) law and DHCD will likely soon put out some related regulations, as the legislation directs.

As a reminder, here are the main points of the bill:

For tenants: temporarily halts all stages of eviction, specifically:

- stops landlords from sending notices of eviction and filing new eviction cases
- stops courts from scheduling non-emergency hearings, entering judgments (including agreements for judgment), and issuing executions
- stops sheriffs from levying on executions to remove tenants
- applies to most evictions with limited exceptions for true emergencies involving conditions or conduct endangering the health and safety of others

It also prevents late fees and negative credit reporting for COVID-19 affected tenants.

For homeowners in 1-4 family owner occupied properties, it temporarily:

- stops residential foreclosures from going forward
- requires lenders to offer a mortgage forbearance for homeowners affected by COVID-19, with payments added to the end of the loan
- prevents negative credit reporting for homeowners in forbearance
- gives landlords access to tenants' last month's rent to cover expenses

The moratorium also pauses evictions on small businesses, and makes it easier to access reverse mortgages.

The moratorium will remain in effect for either 120 days from today (Aug. 18) or 45 days following the end of the state of emergency, whichever is sooner. This can be extended by the Governor to ensure it does not end before the state of emergency is lifted plus a reasonable time period.

We will soon have a fact sheet ready on MassLegalHelp for you to use and distribute. As soon as possible we will convene a meeting to talk about the implementation of the law and the overlap with court issues. Close on the heels of that we will need to start on the next phase of rent and mortgage relief, and we will be asking for help planning for the way out of the crisis.

This was a really amazing group effort guided by a core group from City Life/Vida Urbana, Lynn United for Change, Springfield No One Leaves, MCAN, GLBS, Heisler Feldman, and MLRI - but really it happened because of the support and strength of more people than we can name! Thank you and onward.

Andrea

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