# Guide Me: Steps you can take when…

## You lost your eviction hearing at court

## and

## You were served with a notice of scheduled eviction

This means that a judgment for possession (eviction) and, if you owed rent, for damages has entered against you. It will also state that you have to pay the landlord’s court costs and interest that has come due on any unpaid rent.

This also means that the landlord has gotten an execution from the court, has now hired the county sheriff or a constable to forcibly remove you from the apartment if you don’t leave on your own.

Before a sheriff or constable can move you out, they **must** give you a written notice of the date and time they will move you out. And they must serve you with the notice at least 48 hours **before** the date on the notice.

### File a Motion to Stop Physical Eviction

Even after you have been served with a notice of physical eviction, you may be able to get the court to stop or postpone it. You need to ask the court for "Stay of Execution."

These "stays" are hard to get. Usually, judges only grant a stay if:

* you have an emergency, or
* you can show the judge that your landlord will not be harmed if the judge delays your eviction date.

### You may be eligible to stop an eviction where your landlord is asking for back rent

You might be protected by the federal CDC Moratorium if you

* cannot pay your full rent because you have lost income or have high medical expenses,
* are making best efforts to pay the rent including applying for financial help, and
* are likely to become homeless or doubled up if evicted.

Learn more about the moratorium, and how to send your landlord a declaration that you are protected by the federal CDC moratorium on evictions.  
See:

[MassLegalHelp.org/covid-19/housing](https://masslegalhelp.org/covid-19/housing) and  
[MassLegalHelp.org/cdc-declaration.pdf](https://masslegalhelp.org/cdc-declaration.pdf)

### Talk to your landlord

Even after you lose your eviction case, many landlords are still willing to negotiate an agreement with you. If your eviction is because you owe rent, some landlords will still make a payment plan and let you stay as long as you can get caught up on your rent. Even if a landlord is not interested in letting you stay long term, many landlords will agree to give you a reasonable amount of time to move on your own because the landlord has to pay more money to have you forcibly evicted.

### Apply for shelter or Emergency Assistance

You may qualify for shelter if you have children and your landlord evicted you because:

* you could no longer afford your rent, or
* you did not do something to cause your eviction.

Learn more about how to get shelter See Emergency Housing Assistance Programs on Mass.gov: [mass.gov/emergency-housing-assistance-programs](https://www.mass.gov/emergency-housing-assistance-programs)

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