# Guide Me: Steps to take when…

## Your landlord wants to evict you and you get a summons to go to court

### Call the Court if you cannot access Zoom

Because of the COVID 19 pandemic, the courts are holding hearings by ZOOM or telephone. After you receive the summons, the court will mail you a notice telling you how to call-in or use Zoom for your hearing. Look for information on this notice on what to do if you cannot get on Zoom or cannot attend court.

### Go to court! – Even if you think you worked everything out with your landlord.

If you do not show up, the landlord can ask the court for a "default judgment" against you.

### Until December 31, 2020, 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,
* You are making best efforts to pay the rent including applying for financial help, and
* You 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://www.masslegalhelp.org/covid-19/housing) and  
[CDC.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf](https://www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf)

### File an Answer

Use the Answer form to explain to the court, why you should not be evicted. The reasons you should not be evicted are your "defenses".

If your landlord is evicting you because you are behind on rent, or for a reason that is not your fault, your landlord may have done something wrong. You will have "counterclaims" for the things they did wrong. Include your counterclaims in your Answer also.

Use Massachusetts Defense Eviction (MADE), guided questions to help you put together **your** Answer in your eviction case online. At the end of the "interview" you will be able to email, download, and print your Answer. See MassLegalHelp.org/MADE

Or, you can use the PDF booklet, The Answer: Representing Yourself in Court How to Defend Your Eviction Case: [MassLegalHelp.org/housing/lt1-booklet-3-answer.pdf](http://www.masslegalhelp.org/housing/lt1-booklet-3-answer.pdf)

The **deadline** for filing an Answer is three business days before your first court hearing.

You must serve your landlord or their lawyer on the same date you file your Answer with the court.

### Serve a Demand for Discovery

You or your landlord may need information from each other so you can prepare for trial.

Discovery is the way people in a court case ask the other side for information.

In eviction cases, Discovery is

* a list of questions, called "Interrogatories" and
* a request for documents.

You have the right to serve a Demand for Discovery on your landlord by the same date that your Answer is due.

See the PDF Booklet, Discovery: Representing Yourself in Court: How to Get Information to Prepare for Your Trial:   
[MassLegalHelp.org/housing/lt1-booklet-4-discovery.pdf](https://www.masslegalhelp.org/housing/lt1-booklet-4-discovery.pdf)

### File a Notice of Transfer to Housing Court

If your landlord filed the eviction case in a District Court, you have the right to transfer the case to the Housing Court.

Housing Courts have more resources to help tenants who are representing themselves. See the PDF Booklet, Transfer: Representing Yourself in Court: Why Transfer Your Case to Housing Court? [MassLegalHelp.org/housing/lt1-booklet-5-transfer.pdf](https://www.masslegalhelp.org/housing/lt1-booklet-5-transfer.pdf)

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