GUIDE ME: My landlord wants to evict me

and

I have received a summons telling me about a court date.

*This is your court date. It is really important that you show-up for court – even if you think you have worked everything out with your landlord. If you do not show-up, the landlord can request a default judgment against you.*

**Here are some steps you can take.**

**File an Answer:**

An Answer is a legal form completed by you that explains why you should not be evicted. In other words, it contains your defense to the eviction. If you are being evicted for non payment of rent or are being evicted without fault attributed to you, you can also bring counterclaims against your landlord for things the landlord did wrong. At the bottom of your eviction summons and complaint, it states the date you must file an Answer with the court. A copy must also be served on the landlord (or their lawyer) by this same date. Learn more about preparing an Answer at [www.masslegalhelpf.org/housing/lt1-booklet-3-answer.pdf](http://www.masslegalhelpf.org/housing/lt1-booklet-3-answer.pdf). Or, use MADE to electronically create an Answer for you, <https://www.masslegalhelp.org/housing/eviction-answer-interview>.

**Serve a Demand for Discovery:**

Discovery refers to the process by which parties to a court case can request information from the other side in order to better prepare for trial. In eviction cases, it takes the form of 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 as the Answer due date. If you timely serve your Demand for Discovery, your hearing date will be postponed for two weeks. Learn more about serving discovery at 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. This is recommended because the Housing Court has more resources to help tenants who are representing themselves. Learn more about requesting a Transfer at

[www.masslegalhelpf.org/housing/lt1-booklet-5-transfer.pdf](http://www.masslegalhelpf.org/housing/lt1-booklet-5-transfer.pdf)

*The suggestions provided above are not legal advice and are provided as information only.*

*Whenever you have a legal problem, it is always best to talk to a lawyer who can give you advice that is uniquely tailored to your situation. The Massachusetts Legal Resource Finder can help you find lawyers and other legal help resources in your area.*