

Effective September 20, 2021 there is an additional \$10.00 charge for serving a 14 Day Notice to Quit for non-payment of rent due to the required additional 10 pages that have to be left with notice and mailed per Housing Court. Please see the attached forms. The first form is to be completed by landlord - the other 9 pages our office will include.

ATTESTATION FORM TO ACCOMPANY RESIDENTIAL NOTICE TO QUIT

**THIS NOTICE TO QUIT IS NOT AN EVICTION.
YOU DO NOT NEED TO IMMEDIATELY LEAVE YOUR UNIT.
YOU ARE ENTITLED TO A LEGAL PROCESS IN WHICH YOU CAN FIGHT THE EVICTION.
ONLY A COURT ORDER CAN FORCE YOU TO LEAVE YOUR UNIT.**

Pursuant to section 1(a) of chapter 257 of the Acts of 2020, as amended by chapter 20 of the Acts of 2021, a notice to quit for nonpayment of rent given by a landlord to a residential tenant pursuant to section 11 or section 12 of chapter 186 of the General Laws must be accompanied by this attestation form. A landlord's obligation to provide her/his tenant(s) with this attestation form begins on the effective date of the law, December 31, 2020, per the Trial Court of Massachusetts Housing Department's Third Amended Standing Order 6-20, Massachusetts District Court Third Amended Standing Order 10-20 and Boston Municipal Court Third Revised Standing Order 11-20 and lasts until January 1, 2023.

Instructions for completing this attestation form can be found here: [Notice to Quit Attestation Form and Submission Information | Mass.gov](#)

Name(s) of landlord(s): _____ (“Landlord”)

Name(s) of tenant(s): _____ (“Tenant”)

Address where the Tenant lives: _____ (“Unit”)

By signing below, Landlord is swearing that all of the following statements are true and correct:

- 1. The Unit (check one) is is not a “covered dwelling” under section 4024(a)(1) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (the “CARES Act”). If the Unit is a “covered dwelling,” the notice to quit (check one) does does not comply with the requirements of section 4024(c) of the CARES Act, which requires longer notice periods for some “covered dwellings.” (See instructions for information on the CARES Act.)
- 2. There (check one) are are not existing written or verbal agreements between the Tenant and Landlord related to the repayment of overdue rent. If there are any existing written agreements, a copy of each agreement must be attached to this attestation form. If there is a verbal agreement, check this box.

Signed under pains and penalties of perjury:

_____ Date: _____

Printed name: Title (if signing on behalf of an entity):

Additional signatures, if necessary:

_____ Date: _____

Printed name:

_____ Date: _____

Printed name:

Information for the Landlord and the Tenant

Rental Assistance

If you are having trouble paying your rent, there is help available. The Department of Housing and Community Development runs several rental assistance programs including the residential assistance for families in transition program (RAFT) and the emergency rental and mortgage assistance program (ERMA). A good way to learn more about these programs is to call 211 or visit DHCD's web page at <https://hedfuel.azurewebsites.net/raa.aspx> to be referred to your local Housing Consumer Education Center. You can also learn more at <https://www.mass.gov/covid-19-getting-help-with-housing-costs>.

Massachusetts Court Rules on Evictions

The Massachusetts trial court **rules on summary process cases** can be found here: <https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

The Massachusetts trial courts have issued a number of **standing orders** that affect how eviction cases are filed and processed. You can find those orders on the trial courts' website: <https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form>

The Courts' Standing Orders require that any case filing on or after January 25, 2021 must be accompanied by an affidavit swearing that this attestation form has been given to the tenant. The affidavit created by the Trial Court of Massachusetts must be used, and can be found here: <https://courtforms.jud.state.ma.us/publicforms/TC0012>

Thông Tin Dành Cho Chủ Nhà Và Người Thuê Nhà

Hỗ Trợ Pháp Lý

Quý vị sẽ có thể nhận hỗ trợ pháp lý miễn phí để tư vấn về quyền lợi của quý vị, điền thủ tục tòa án và đại diện cho quý vị trong phiên tòa hòa giải, phiên tòa xét án và điều trần. Hãy vào trang web www.evictionlegalhelp.org để tìm chương trình trợ giúp về pháp lý phục vụ cho cộng đồng của quý.

Trợ Cấp Trả Tiền Thuê Nhà

Nếu quý vị đang gặp khó khăn trả tiền thuê nhà, hiện có chương trình hỗ trợ quý vị. Sở Phát Triển Nhà Ở Và Cộng Đồng (Department of Housing and Community Development) điều hành vài **chương trình trợ cấp trả tiền thuê nhà** gồm có chương trình trợ cấp nhà ở cho các gia đình đang chuyển tiếp (RAFT) và chương trình thuê nhà khẩn cấp và trợ cấp trả tiền vay thế chấp (ERMA). Cách hiệu quả nhất để tìm hiểu thêm về các chương trình này là gọi 211 hoặc vào trang web DHCD tại <https://hedfuel.azurewebsites.net/raa.aspx> để được giới thiệu Housing Consumer Education Center (Trung Tâm Giáo Dục Người Tiêu Dùng Về Nhà Ở) tại địa phương. Quý vị có thể tìm hiểu thêm tại trang web <https://www.mass.gov/covid-19-getting-help-with-housing-costs>.

Phán Quyết Của Tòa Án Ở Massachusetts Về Thủ Tục Trục Xuất Người Thuê Nhà

Tòa án tiểu bang Massachusetts phán quyết thủ tục đơn giản cho các vụ kiện tụng sau đây:
<https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

Tòa án của tiểu bang Massachusetts đã ban hành **án lệnh hiện hành** có ảnh hưởng đến cách nộp đơn thưa kiện và xử lý các vụ kiện về trục xuất người thuê nhà. Quý vị có thể tìm hiểu thêm về các án lệnh trên trang web của tòa án:
<https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form->

Lệnh hiện hành của tòa án yêu cầu tất cả hồ sơ vụ kiện đã nộp vào ngày hoặc trước ngày 25 tháng 1 năm 2021 phải kèm theo bản khai có tuyên thệ rằng chủ nhà đã đưa mẫu chứng nhận cho người thuê nhà. Quý vị phải dùng bản khai có tuyên thệ của Tòa Sở Thẩm Tại Massachusetts đã tạo và có thể tìm thấy tại: <https://courtforms.jud.state.ma.us/publicforms/TC0012>

Información para el propietario y el inquilino

Asistencia para alquileres

Si está teniendo dificultades para pagar su alquiler, hay ayuda disponible. El Departamento de Vivienda y Desarrollo Comunitario administra varios programas de asistencia para alquileres que incluyen el programa de asistencia residencial para familias en transición (*RAFT, Residential Assistance for Families in Transition*) y el programa de asistencia de emergencia para alquileres e hipotecas (*ERMA, Emergency Rental and Mortgage Assistance*). Una buena manera de informarse más sobre estos programas es llamar al 211 o visitar la página web de DHCD en <https://hedfuel.azurewebsites.net/raa.aspx> para que lo refieran a su Centro de Educación al Consumidor sobre la Vivienda local. Usted también puede informarse más en <https://www.mass.gov/covid-19-getting-help-with-housing-costs>.

Reglamento del Tribunal de Massachusetts sobre desalojos

Las **normas sobre casos de proceso sumario** del tribunal de primera instancia de Massachusetts pueden encontrarse aquí:

<https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

Los tribunales primera instancia de Massachusetts han emitido varias **resoluciones permanentes** que afectan cómo se inician y se procesan los casos de desalojo. Usted puede encontrar esas resoluciones en el sitio web de los tribunales de primera instancia: <https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form->

Las Resoluciones Permanentes de los Tribunales exigen que cualquier caso que se presente a partir del 25 de enero de 2021 debe estar acompañado de una declaración jurada o affidavit que dé testimonio que este formulario de declaración ha sido entregado al inquilino. Debe usarse la declaración jurada creada por el Tribunal de Primera Instancia de Massachusetts, y puede encontrarla aquí:

<https://courtforms.jud.state.ma.us/publicforms/TC0012>

Informações para o locador e locatário

Assistência para aluguel

Se você estiver passando por dificuldades para pagar o aluguel, existem programas de auxílio disponíveis. O Departamento de Habitação e Desenvolvimento Comunitário (*Department of Housing and Community Development*) administra vários programas de auxílio para aluguel, incluindo o programa de assistência residencial para famílias em transição (RAFT) e o programa de assistência emergencial para aluguel e hipoteca (ERMA). É fácil obter mais informações sobre esses programas: basta ligar para 211 ou acessar a página do DHCD no endereço <https://hedfuel.azurewebsites.net/raa.aspx> e você será encaminhado ao Centro de Educação Residencial para o Consumidor (*Housing Consumer Education Center*) da sua região. Você também pode obter mais informações em <https://www.mass.gov/covid-19-getting-help-with-housing-costs>.

Regras do tribunal de Massachusetts sobre despejos

As regras do tribunal de primeira instância de Massachusetts referentes aos casos de despejo podem ser encontradas no endereço <https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

Os tribunais de primeira instância de Massachusetts emitiram uma série de **ordens permanentes** que afetam o arquivamento e processamento dos casos de despejo. Você pode encontrar essas ordens no site dos tribunais: <https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form>

As ordens permanentes dos tribunais exigem que qualquer processo iniciado em 25 de janeiro de 2021 ou após essa data seja acompanhado por uma declaração juramentada de que o formulário de atestado foi entregue ao locatário. A declaração juramentada criada pelo Tribunal de Primeira Instância de Massachusetts deve ser usada e pode ser encontrada no endereço <https://courtforms.jud.state.ma.us/publicforms/TC0012>

终稿：12月30日，修订日期：2021年9月1日

向房东和租户发出的信息

租金援助

如果您在付房租方面遇到困难，可以寻求帮助。住房与社区发展部（DHCD）目前正在开展几项租金援助计划，其中包括家庭过渡住房援助计划（RAFT）和紧急租金和抵押贷款援助计划（ERMA）。了解有关这些计划更多信息的一种好方法是拨打211号码，或查看DHCD的网页<https://hedfuel.azurewebsites.net/raa.aspx>，请求转介至当地住房消费者教育中心。您也可以在网站<https://www.mass.gov/covid-19-getting-help-with-housing-costs>了解更多信息。

马萨诸塞州有关驱逐的法院规定

可在此处查找马萨诸塞州初审法院关于**加速程序案件**的规定：

<https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

马萨诸塞州初审法院已发布多项**暂行命令**，这些命令会影响驱逐案的提交和处理方式。您可以在初审法院的网站上查看这些命令：

<https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form->

法院暂行命令要求在2021年1月25日或之后提交的任何案件必须随附一份宣誓已将本声明表交向租户的宣誓书。必须使用由马萨诸塞州初审法院编写的宣誓书，可在以下网址查找该宣誓书：<https://courtfor.ms.jud.state.ma.us/publicforms/TC0012>

Enfòmasyon pou Mèt Kay ak Lokatè a

Asistans pou Lokasyon

Si w gen pwoblèm pou peye kay ou lwe a, gen èd ki disponib. Depatman Lojman ak Devlopman Kominotè a ap dirije plizyè pwogram asistans pou lokasyon, sa enkli asistans rezidansyèl pou fanmi ki nan pwogram tranzisyon an (residential assistance for families in transition program-RAFT) ak pwogram asistans dijans pou lokasyon ak ipotèk (emergency rental and mortgage assistance program-ERMA). Yon bon fason pou aprann plis bagay sou pwogram sa yo se pou rele 211 oswa pou vizite paj entènèt DHCD la nan <https://hedfuel.azurewebsites.net/raa.aspx> pou yo refere w bay Sant lokal ou pou Edikasyon Konsomatè Lojman an. Ou kapab aprann plis bagay tou nan <https://www.mass.gov/covid-19-getting-help-with-housing-costs>.

Règ Tribinal Massachusetts sou Degèpisman

Yo kapab jwenn isit la règ tribinal premyè enstans Massachusetts sou ka enfraksyon somè yo: <https://www.mass.gov/trial-court-rules/trial-court-rule-i-uniform-summary-process-rules>

Tribinal Premyè Enstans Massachusetts te mete deyò yon sèten kantite **lòd pèmanan** ki afekte kijan yo ranpli epi yo trete ka degèpisman yo. Ou kapab jwenn lòd sa yo tou sou sit entènèt tribinal premyè enstans lan:

<https://www.mass.gov/info-details/covid-19-eviction-information#cdc-moratorium-information-and-form->

Lòd Pèmanan Tribinal yo egzije ke, depi yon moun depoze nenpòt ki dosye nan dat 25 Janvyè oswa nan yon dat aprè sa, li dwe tou vini ak yon deklarasyon sou sèman ki di ke li te bay lokatè a atestasyon sa a. Li sipoze itilize deklarasyon sou sèman an ke Tribinal Premyè Enstans Massachusetts la fè, e li kapab jwenn li isit la: <https://courtforms.jud.state.ma.us/publicforms/TC0012>

Instructions for Landlords – Compliance with Notice to Quit and Summary Process Filing Requirements

Massachusetts passed a law that requires a landlord giving a notice to quit for nonpayment of rent to a residential tenant to also give the tenant, at the same time, an attestation form with certain information and landlord statements. This requirement will apply from the effective date of the law, December 31, 2020, per Trial Court of Massachusetts Housing Department's Third Amended Standing Order 6-20, Massachusetts District Court Third Amended Standing Order 10-20, and Boston Municipal Court Third Revised Standing Order 11-20 until January 1, 2023. The law and the attestation form can be found here: <https://www.mass.gov/noticetoquit>

The Courts' Standing Orders also require that any case filing on or after January 25, 2021 must be accompanied by an affidavit swearing that the attestation form has been given to the tenant. The affidavit created by the Trial Court of Massachusetts must be used, and can be found here: Court-Required Affidavit re Attestation Form.

The following instructions are to provide guidance to landlords when completing and signing the attestation form.

Preliminary Information:

You are required to provide the name of the landlord(s), the names of the tenant(s) and the address where the tenant(s) live(s).

Name(s) of tenant(s): If there is more than one tenant, you should list all persons listed on the lease. If there is no lease, you should list all persons over the age of 18 you know to be residing at the premises.

Name(s) of landlord(s): If the housing unit is owned jointly by more than one individual, you should list all owners as the landlord. If the landlord is a corporation, limited liability company, partnership, trust or other business entity, then by signing this notice form you are representing that you are authorized to send a notice to quit on behalf of the landlord. If the notice to quit is sent on behalf of the landlord by a third party, such as a property management company, then by signing this form you are representing that you are authorized to send a notice to quit on behalf of the landlord.

Statement #1: CARES Act Compliance

You are required to provide a statement as to whether the housing unit is a "covered dwelling" under the CARES Act, and whether the notice to quit complies with the CARES Act requirements. You must make these statements in good faith, to the best of your knowledge and after review of the following information. The following information is not legal advice: you are encouraged to consult a lawyer if you are not sure how the CARES Act applies to your property.

a. Determining if a unit is a "covered dwelling"

Under the CARES Act, "covered dwellings" are housing units occupied by a tenant with or without a lease in "covered properties." Covered properties include:

- Properties with federal rental assistance from a voucher or grant program
- Properties assisted through federally-subsidized housing programs (see list at the end of these Instructions for Landlords)
- Properties with "federally backed mortgage loans." (See below for more information on the definition of "federally backed mortgage loans.")

The definition of "federally backed mortgage loan" covers many properties that are not "subsidized housing."

- It includes FHA-insured loans on 1-4 family properties, such as duplexes and triple deckers.
- It also includes loans that have been bought by government agencies such as Fannie Mae, Freddie Mac, or the USDA.

If your property is mortgaged, you may need to do some research to find out if it is a federally backed mortgage. The Federal Consumer Protection Finance Bureau offers suggestions for how to find out if a property has a federally backed mortgage at <https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/>.

b. CARES Act notice requirements

You are required to state whether your notice to quit complies with the notice requirements of section 4024(c) of the CARES Act. That section prohibits a landlord of a covered dwelling unit from requiring a tenant to vacate a covered dwelling unit sooner than 30 days after the landlord provides the tenant with a notice to vacate. Therefore, if your property is a covered property, your statement of compliance with section 4024(c) of the CARES Act means you have provided your tenant with at least 30 days' notice before terminating the lease or otherwise requiring the tenant to vacate the premises.

Statement #2: Existing Agreements with Tenant

You are also required to provide documentation of any agreements with the tenant related to the payment of rent. If there are written agreements, you should provide copies to the tenant with the notice to quit. If you have an agreement with the tenant that has not been put in writing, you should check the "yes" box indicating that there is an agreement, and check the box indicating that the agreement is not in writing.

Additional Information About the CARES Act

Please note, although you are not required to swear to compliance with other sections of the CARES Act, an eviction moratorium remains in place for some types of "covered properties."

- Several Federal agencies, including the FHA, HUD, VA, USDA, and Fannie Mae and Freddie Mac have extended until at least September 30, 2021 the eviction moratorium for owner-occupied properties covered by mortgage loans backed by those agencies.
- Fannie Mae and Freddie Mac have extended until at least September 30, 2021 the eviction moratorium for properties that they own (real estate owned, or "REO" properties).

* * * * *

Properties Assisted Through Federally-Subsidized Housing Programs

A housing unit in a property subsidized under any of the following housing programs will be considered a “covered dwelling”:

Department of Housing and Urban Development (HUD)

- o Public housing (42 U.S.C. § 1437d)
- o Section 8 Housing Choice Voucher program (42 U.S.C. § 1437f)
- o Section 8 project-based housing (42 U.S.C. § 1437f)
- o Section 202 housing for the elderly (12 U.S.C. § 1701q)
- o Section 811 housing for people with disabilities (42 U.S.C. § 8013)
- o Section 236 multifamily rental housing (12 U.S.C. § 1715z-1)
- o Section 221(d)(3) Below Market Interest Rate (BMIR) housing (12 U.S.C. § 17151(d) o HOME (42 U.S.C. § 12741 et seq.)
- o Housing Opportunities for Persons with AIDS (HOPWA) (42 U.S.C. § 12901, et seq.) o McKinney-Vento Act homelessness programs (42 U.S.C. § 11360, et seq.)

Department of Agriculture

- o Section 515 Rural Rental Housing (42 U.S.C. § 1485)
- o Sections 514 and 516 Farm Labor Housing (42 U.S.C. §§ 1484, 1486)
- o Section 533 Housing Preservation Grants (42 U.S.C. § 1490m)
- o Section 538 multifamily rental housing (42 U.S.C. § 1490p-2)

Department of Treasury

- o Low-Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)