

EVICTIION RECORD SEALING

MCLE TRAINING

May 19, 2025



LOCAL NEWS

May 8th, 2025

Massachusetts renters can now petition state to seal their eviction records

Springfield housing advocates praise new law that seals eviction records

LOCAL NEWS

Thanks to new law, you can now seal your eviction record in Mass.

"It ensures that one difficult chapter doesn't define someone's future, and it opens the door to safe, stable housing for so many," state Sen. Lydia Edwards said.

AGENDA

Overview of the Eviction Sealing Law and How to Seal	1 hour
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Break	10 min
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Demonstration of the Trial Court's Guided Interview	30 min
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Tenant Screening and Eviction Records	20 min
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Questions	30 min
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MEET THE TRAINERS

Chair:

Annette R. Duke, Massachusetts Law Reform Institute, Boston

Faculty:

Daniel Jacobson, Cambridge and Somerville Legal Services at Greater Boston Legal Services

Ana Rivera, Boston College Law School

Quinten Steenhuis, Suffolk University Law School

Todd Kaplan, Greater Boston Legal Services

Susan Hegel, Cambridge and Somerville Legal Services at Greater Boston Legal Services

With assistance from: Karina Sumano, Program Support Coordinator at the Massachusetts Law Reform Institute, and McKenzie Templeton, AmeriCorps Member at the Massachusetts Law Reform Institute

WHO'S IN THE ROOM?

What best describes your role?

- ☐ Tenant
- ☐ Landlord
- ☐ Community Advocate
- ☐ Court Staff
- ☐ Municipal Staff
- ☐ Attorney
- ☐ Law Student

Have you started to help people seal their eviction record?

- ☐ Yes
- ☐ Not yet

“The mere record of an eviction proceeding can serve as a long-term barrier to a tenant when he or she seeks future housing, regardless of the legal outcome.”

Rental Prop. Mgmt. Servs. v. Hatcher, 479 Mass. 542, 554 (2018)

PURPOSE OF TRAINING

Learn how to:

Help Tenants prepare a petition to seal their record

Determine eligibility

Navigate MassCourts

Use the Court's new online **Guided Interview**

LAW OVERVIEW & RESOURCES

M.G.L. Chapter 239, Section 16

→ <https://www.mass.gov/info-details/mass-general-laws-c239-ss-16>

Summary of Massachusetts Eviction Record Sealing Law

→ www.masslegalservices.org/content/evictionrecordsealing

Frequently Asked Questions

→ SealMyEviction.org

Trial Court's **Eviction Record Sealing Forms**

→ <https://www.mass.gov/info-details/sealing-eviction-court-records>

LAW AT A GLANCE

Dismissed

Immediately after conclusion of the case including exhaustion of appeal rights

Judgment for Tenant

Immediately after conclusion of the case including exhaustion of appeal rights

No Fault

Immediately after conclusion of the case including exhaustion of appeal rights

Non-Payment (paid off)

Immediately after satisfaction of judgment or agreement so long as the case is concluded including exhaustion of all appeal rights

Non-Payment (not paid off)

4 years after conclusion of the case including exhaustion of appeal rights; No non-payment eviction or "lessor action" brought against the Tenant in Massachusetts in 4 years before request; Tenant certifies that the non-payment of rent and their inability to pay the full amount of the judgment was due to economic hardship.

Fault

7 years after conclusion of the case including exhaustion of appeal rights; No "fault" eviction (or "lessor action") brought in Massachusetts in 7 years before request

Ch. 139, S. 19 (Judgment for Landlord)

7 years after conclusion of the case including exhaustion of appeal rights; No 139/19 or "fault" eviction case brought in Massachusetts in the 7 years before request; Not convicted of any 139/19 criminal offense in the 7 years before request

EVICTIION RECORD SEALING PETITION PROCESS

(separately for each Tenant listed in the case)

STEP 1

→ Meet with Tenant

STEP 2

→ Check MassCourts information

STEP 3

→ Determine Eligibility - based on outcome or case type/reason for eviction

STEP 4

→ Complete and File Petition – via Guided Interview or fillable PDF

STEP 5

→ Provide Notice to Original Parties (if applicable)

STEP 6

→ Advise Tenant about Hearing

STEP 7

→ Monitor Court Decision

STEP 1:

MEET WITH TENANT

- Introduce yourself
- Outline what you'll be helping them with
 - Draft petition;
 - Help file and serve petition; and/or
 - Legal representation at any required hearing
- Review case documents and information provided by Tenant

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 2: CHECK MASSCOURTS INFORMATION

→ Go to [MassCourts.org](https://www.masscourts.org)

→ Go to "Click Here to Search Public Record"

Click Here

To search public records.

→ Click: Court Department

Court Department*
Choose One ▼

→ Click: Court Division

Court Division*
Choose One ▼

→ Type in: Exact Name(s) or case number
to locate the Tenant's case

→ Review docket

Name Case Type Case Number Ticket/Citation #

Last Name*

First Name*

Middle Name

Suffix
Choose One ▼

Or Search by Business Name

Company Name*

Name Case Type **Case Number** Ticket/Citation #

Case Number*

Search

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and File petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor Court's Decision

STEP 2:

CHECK MASSCOURTS INFORMATION

Information needed for petition

- ☐ Case docket number
- ☐ Landlord's and co-defendant(s) exact name(s)
- ☐ Landlord's and co-defendant(s) contact information (if pro se)
- ☐ Landlord's lawyer's name and contact information
- ☐ Court that eviction was filed in
- ☐ Outcome
- ☐ If not dismissed or a judgment for Tenant: Reason for eviction (see Notice to Quit and Summons and Complaint)
- ☐ Date appeal period ended and/or case concluded

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 2:

CHECK MASSCOURTS INFORMATION

**Confirm the reason for the eviction
(if not dismissed or Tenant does not win):**

(can also find on Notice to Quit)

- No-Cause/ No-Fault
- Non-Payment
- Cause/Fault (does not include if lease expires, and T is a hold over)
- G.L. c. 139, sec. 19 civil case (speedy eviction)

**Get the landlord's exact name and contact
information, if the landlord is unrepresented**

**Get the landlord's lawyer's name and contact
information, if there is a lawyer**

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 2:

CHECK MASSCOURTS INFORMATION

Confirm the outcome and date of outcome

Outcome

- Case dismissed
 - Any type of summary process case
- Judgment for Defendant
 - Any type of summary process case
- Other
 - Judgment for landlord - may or may not be eligible

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3:

DETERMINE ELIGIBILITY

Has the appeal period run?

All cases

- Need to check whether appeal period has expired and whether case has concluded
- Confirm that no notice of appeal has been filed

Appeal periods

- Summary Process: **10 days**
 - If day 10 is a Saturday, then until the following Monday, may want to use 13 days to be on the safe side
- 139, 19: **30 days**
 - Use 33 days to be on the safe side
- Starts from entry of judgment or dismissal (date listed on docket) if no pending appeals and no post judgment motions are filed. If certain post judgment motions are filed, appeal period runs from the date of the decision on motion

Case Concluded

- For example: when Tenant has moved after any stay of execution, or when all obligations under an agreement are fulfilled

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3: DETERMINE ELIGIBILITY

What's the outcome?

Dismissal of Summary Process Action

Immediately sealable once case has concluded and appeal period has expired

Regardless of case type/
reason for eviction

Examples of dismissals: notice of voluntary dismissal, stipulation of dismissal, court allowance on motion to dismiss or any court decision dismissing landlord's case

Judgment for Tenant in Summary Process Action

Immediately sealable once case has concluded and appeal period has expired

Regardless of case
type/ reason for eviction

Judgment for landlord or other outcome

May or may not be sealable

Depends on the type of case/
reason for eviction

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3: DETERMINE ELIGIBILITY

No-Fault/No Cause

If Summary Process is not dismissed or if
there is no judgment for the Tenant



No-Fault/No Cause
With no rent claimed due



Can seal once case has
concluded and appeal
period expired

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3:

DETERMINE ELIGIBILITY

Non-Payment: Tenant Satisfied

If Summary Process is not dismissed or if
there is no judgment for the Tenant



- ☐ Landlord confirms amount due is paid off (check for a docket entry)
 - ☐ Check if notice of satisfaction filed by the landlord (within 14 days of payment in full)
 - ☐ Check if money execution has been filed in court marked paid/satisfied (probably OK)
 - If none of the above, STOP:
 - Tenant will first have to file a Petition For Judgment or Agreement To Be Satisfied:
<https://www.mass.gov/doc/petition-for-judgment-or-agreement-to-be-deemed-satisfied/download>
 - Tenant will later need to file petition to seal after the court deems the amount due is satisfied (two step process)
- ☐ Meet with Tenant
 - ☐ Check MassCourts information
 - ☐ Determine eligibility
 - ☐ Complete and file petition
 - ☐ Provide notice to landlord
 - ☐ Prepare for hearing
 - ☐ Monitor court's decision

STEP 3:

DETERMINE ELIGIBILITY

Non-Payment: Tenant Did Not Satisfy

If Summary Process is not dismissed or if there is no judgment for the Tenant



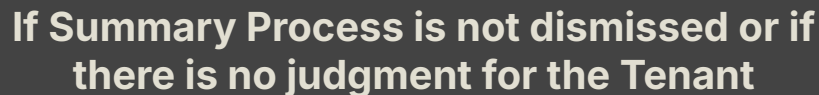
- ☐ Check whether at least 4 years have passed since appeal period expired
- ☐ Check whether any other non-payment cases were filed against Tenant in the past 4 years in MA
- ☐ Lessor action: Check if the Tenant was a landlord and was sued in the last 4 years for bad conditions or any other violation before petition filed
- ☐ Need to certify that the non-payment was due to economic hardship and economic hardship prevented Tenant from paying off the judgment
 - Court may require you to file a **Statement of Finances and Income** at a later date:
<https://www.mass.gov/doc/statement-of-finances-and-income-tc0098/download>

- ☐ Meet with tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3: DETERMINE ELIGIBILITY

Fault/Cause

If Summary Process is not dismissed or if
there is no judgment for the Tenant



- ☐ Check whether any other fault eviction was filed in MA in the last 7 years before the petition is being filed
- ☐ Check if the Tenant was a landlord and was sued for bad conditions or any other violation (lessor action) in the last 7 years before petition filed

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 3:

DETERMINE ELIGIBILITY

G.L. c. 139, sec. 19 Civil Action (Speedy Eviction)

Judgment entered for landlord:

- ☐ Check whether at least 7 years have passed since appeal period expired
- ☐ Check whether any other 139, 19 civil action or any “fault” eviction cases were brought in MA in the 7 years before the petition is being filed (does not include nonpayment of rent)
- ☐ Check whether the Tenant has been convicted of any offenses listed in 139, 19 during the previous 7 years

Judgment did not enter for landlord:

- ☐ Court omitted this from the paper form/fillable PDF and the Guided Interview (Stay tuned for possible changes)

139, 19 Statute:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter139/Section19>

Note: criminal cases can only be viewed through attorney portal:

<https://www.mass.gov/info-details/instructions-for-using-the-eaccess-attorney-portal>

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 4: COMPLETE AND FILE PETITION

Filling out the petition:

Guided Interview (best option): →

- Generates a completed petition and instructions
- Access from Court Service Centers, a mobile phone, law libraries and public libraries, and wherever you can access the internet

Paper or fillable PDF on court website: →

- Fill out by hand or on a computer

→ <https://www.mass.gov/info-details/sealing-eviction-court-records>

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
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- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 4:

COMPLETE AND FILE PETITION

Before filing:

- Consider whether to seek landlord assent to the petition (in cases where notice is required)
- Determine whether the landlord will file satisfaction of amount due in non-payment case where paid off

Where to file:

- File in the Court that the eviction was filed in (Housing, District, or Municipal)
 - If case was transferred from District/BMC to Housing, will need to file in both Courts BUT best to first file in Housing and then if petition is allowed, attach order to petition to seal in District Court (stay tuned for possible changes)

Make sure Tenant downloads important documents and gets a copy of petition

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 4:

COMPLETE AND FILE PETITION

How to File:

Tenant Can:

- **Mail** petition to the Court
- **Hand-deliver** petition to the Court
- **E-File** petition with the Court
 - Need to set up your own e-filing account or use agency e-filing account
 - Need an email address and password
 - The guided interview allows tenant to set up e-filing account and to then e-file (with push of one button)

- ☐ Meet with Tenant
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STEP 4: COMPLETE AND FILE PETITION

Confirmation of E-Filing

Once you e-file, you will get two emails:

Submitted

Filing Submitted for Case: [REDACTED] Envelope Number: 3114112

no-reply@efilingmail.tyler-tech.cloud
To: Daniel Jacobson

Tue 9/24/2024 4:04 PM

Filing Submitted
Envelope Number: 3114112
Case Number: [REDACTED]

Case: [REDACTED]

EFiling State Logo

This is a notification that the filing below has been SUBMITTED to the court for review. Please note that eFiled documents do not become part of the case file and court record until they are reviewed and accepted by court staff. Once your filing is accepted or rejected by court staff, you will receive a separate email confirmation.

Filing Details	
Court	Housing Courts
Date/Time Submitted	9/24/2024 4:03 PM EST
Filing Code	Answer and Counterclaim
Page Count	4
Submitted By	Daniel Jacobson
Submitting Attorney	Daniel Jacobson
View Document	Download Document

This link is active for 548 days.

Accepted

Filing Accepted for Case: [REDACTED] Envelope Number: 3114112

no-reply@efilingmail.tyler-tech.cloud
To: Daniel Jacobson

Wed 9/25/2024 9:56 AM

Filing Accepted
Envelope Number: 3114112
Case Number: [REDACTED]

Case: [REDACTED]

EFiling State Logo

This is a notification that the following document has been ACCEPTED for filing by the Clerk's Office. You may access the file stamped copy of the document by clicking the below link.

Filing Details	
Court	Housing Courts
Date/Time Submitted	9/24/2024 4:03 PM EST
Date/Time Accepted	9/25/2024 9:56 AM EST
Reviewer Comment	
Filing Code	Answer and Counterclaim
Page Count	4
Submitted By	Daniel Jacobson
Submitting Attorney	Daniel Jacobson
View Document	Download Document

This link is active for 548 days. To access this document, you will be required to enter your email address. Click [here](#) for more information.

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☒ Provide notice to landlord
- ☐ Advise Tenant about hearing
- ☐ Monitor court's decision

STEP 5: PROVIDE NOTICE TO ORIGINAL PARTIES (if applicable)

NOTICE
You must give notice to the parties to the original action, or their attorney(s), unless the eviction case was dismissed or judgment was entered in your favor.
I gave notice to: <input type="checkbox"/> the plaintiff <input type="checkbox"/> the plaintiff's lawyer <input type="checkbox"/> the defendant(s)
I hereby certify that on this date _____ a true copy of this document was served by: <input type="checkbox"/> First class mail, to this mailing address: _____ <input type="checkbox"/> In person <input type="checkbox"/> E-Mail, to this e-mail address: _____
PETITIONER'S INFORMATION AND SIGNATURE FOR THIS PETITION
I declare under the penalties of perjury that the information provided in this petition is true and accurate to the best of my knowledge.
Name: _____ Signature: _____ Date: _____ Address: _____ Mobile Phone Number: _____ Email Address: _____
<input type="checkbox"/> This petition was prepared with the assistance of counsel in accordance with Trial Court Rule XVI.
PETITIONER'S LAWYER'S INFORMATION AND SIGNATURE
Lawyer's Name: _____ Signature: _____ Date: _____ Email Address: _____ BBO# (For lawyers only): _____
IMPORTANT: An applicant for housing or credit with a sealed record on file with the court pursuant to section 16 of chapter 239 of the General Laws may answer 'no record' to an inquiry relative to that sealed court record.

When notice is required:

- All cases
 - Unless the Summary Process case was dismissed or Tenant won

Providing notice to Original Parties:

- To pro se Landlord and Co-Defendant(s)
 - Mail
 - Email/fax (parties must agree)
 - Hand delivery
- To Landlord's Attorney
 - Mail
 - Email (attorney must accept)

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 6:

ADVISE TENANT ABOUT HEARING (if applicable)

What happens next?

A hearing may or may not be scheduled depending upon the type of case

A hearing is only required in:

- 139, 19 cases: where judgment entered for landlord
- Non-payment cases: where amount due not paid off and where the landlord filed an objection to the petition within 7 days

See the Frequently Asked Questions for how to prepare for a hearing:

- SealMyEviction.org

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 6:

ADVICE TENANT ABOUT HEARING (if applicable)

G.L. c. 139, sec. 19 Civil Action (Speedy Eviction)

If landlord did obtain judgment

The Court shall schedule a hearing to determine whether:

- Tenant meets the requirements on slide 21; and
- The sealing of such record is in the interest of justice and public safety

Consider whether the grounds for the 139, 19 were related to disability (including mental health and substance abuse) or DV and some evidence that turned life around

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

STEP 7: MONITOR COURT'S DECISION

Tenants should receive a copy of the Order allowing or denying their Petition to Seal

Allowed

- Encourage the Tenant to make sure it gets sealed (check docket often)
- Go to MassCourts.org, click on the Court, and enter the docket number
 - If it says "no records found" then it is sealed
- If granted, send a copy of decision to Consumer Reporting agencies
 - For more see **Tenant Screening Chapter** here:
www.masslegalhelp.org/housing-apartments-shelter/tenants-rights/chapter-2-tenant-screening

No Records Found

Denied

- Encourage the Tenant to consult with someone if they contest the reason for the denial

- ☐ Meet with Tenant
- ☐ Check MassCourts information
- ☐ Determine eligibility
- ☐ Complete and file petition
- ☐ Provide notice to landlord
- ☐ Prepare for hearing
- ☐ Monitor court's decision

LINKS & RESOURCES

Trial Court's Eviction Record Sealing Forms

<https://www.mass.gov/info-details/sealing-eviction-court-records>

Frequently Asked Questions

[SealMyEviction.org](https://sealmyeviction.org)

Summary of Massachusetts Eviction Record Sealing Law

www.masslegalservices.org/content/evictionrecordsealing

Eviction Record Sealing Law, G.L. Chapter 239, Section 16

www.mass.gov/info-details/mass-general-laws-c239-ss-16

G.L. Chapter 139, Section 19

malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter139/Section19

Instructions for using the attorney portal on Masscourts.org

www.mass.gov/info-details/instructions-for-using-the-eaccess-attorney-portal

LAR Training

www.mass.gov/doc/uniform-limited-assistance-representation-training-protocol/download

OUTREACH AND TENANTS' EXPERIENCES

Spread the word about the new law in your community

→ **Outreach flyers in multiple languages:**

tinyurl.com/sealmyevictionoutreach

Set up clinics to help people seal

→ **Evolving list of clinics and workshops:**

tinyurl.com/sealmyevictionclinics

Encourage tenants to share their experiences using the new law

→ **Story collection form:**

tinyurl.com/sealmyevictionstory



Questions?

Break: 10 minutes

**Next: Demonstration of the Trial
Court's Guided Interview**