

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

HOUSING COURT DEPARTMENT
EASTERN DIVISION
DOCKET NO. 22-SP-1625

ATJ NEPONSET III, LIMITED PARTNERSHIP,

Plaintiff

v.

EVELYN NORMAN,

Defendant

INTERIM ORDER RELATIVE TO PLAINTIFF'S MOTION TO ISSUE EXECUTION

On July 1, 2025, this summary process action came before this Court for a hearing on the plaintiff's motion to issue the execution. The plaintiff alleged that the defendant has failed to comply with material provisions of the Agreement for Judgment entered by the parties on July 28, 2022.

After hearing from both parties, this Court finds that the plaintiff has demonstrated that the defendant failed to make certain payments toward her monthly use and occupancy and toward the arrearage. Such failure constitutes a material breach of the Agreement for Judgment.

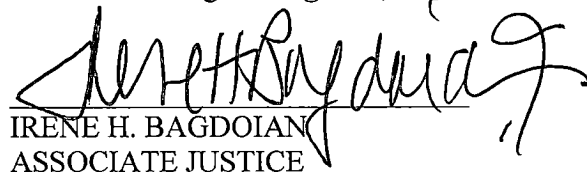
However, this Court also finds that the defendant, by her own admission, suffers from depression and anxiety which manifests itself in a gambling addiction. This Court likewise finds that this condition is a treatable disability and that the defendant is entitled to a reasonable accommodation under, inter alia, the Americans with Disabilities Act, 42 U.S.C. § 12101, and the Massachusetts Anti-discrimination Statute, G.L. c. 151B.

Over the strenuous objection of the plaintiff's counsel, this Court finds that it is appropriate to issue an interim order which shall constitute a reasonable accommodation for the defendant's disability.

Based on the foregoing, this Court ORDERS as follows:

1. The Execution shall not issue at this time.
2. The hearing on the plaintiff's motion to issue the execution is continued for further hearing until **August 5, 2025 at 9:00 A.M.**
3. The defendant SHALL PAY the full amount of July's use and occupancy by **July 14, 2025** in certified funds (cashier's check or money order) payable to the plaintiff.
4. The defendant SHALL PAY the full amount of August's use and occupancy by **August 1, 2025** in certified funds (cashier's check or money order) payable to the plaintiff.
5. The defendant is referred to the Tenancy Preservation Program for assistance in accessing services to address her gambling addiction including, but not limited to, therapeutic/medical services, counseling, and support groups. The defendant SHALL CONTACT the Boston Tenancy Preservation Program through the Eastern Division Housing Court's Clerk's Office by no later than **July 14, 2025**.
6. If the defendant fully complies with this Court's order, this Court may allow a further stay on the issuance of the execution at the hearing on **August 5, 2025 at 9:00 A.M.**

SO ORDERED.


IRENE H. BAGDOIAN
ASSOCIATE JUSTICE

DATE: *July 8th, 2025*