

By Mr. Bulger, a petition of William M. Bulger, Joseph F. Timilty, Richard H. Demers and Ronald A. Pina for legislation to provide for clear, simple and understandable eviction notices and writs. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT PROVIDING FOR CLEAR, SIMPLE AND UNDERSTANDABLE
EVICTON NOTICES AND WRITS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section two of chapter two hundred thirty-nine
2 of the General Laws is hereby amended by adding the follow-
3 ing paragraph:

4 The summons shall take the form prescribed by the chief
5 justice of the court issuing it, and shall clearly and simply,
6 in language understandable to the general public, explain the
7 nature of the proceeding and the rights and duties of the
8 defendant. The summons shall conspicuously state the date
9 upon which the case will be heard, and shall clearly differen-
10 tiate said date from the return date. It shall further state con-
11 spicuously the date by which the defendant or his attorney
12 must file an answer to avoid losing any right he may have to
13 remain on the premises, and where said answer should be filed.
14 The summons shall also contain a statement, printed in red
15 and conspicuously displayed, written in Spanish and any other
16 language determined necessary for public understanding by
17 the chief justice, that persons who do not speak English should
18 have this legal document translated as soon as possible.

1 SECTION 2. Section eleven of chapter one hundred eighty-six
2 of the General Laws is hereby amended by adding the follow-
3 ing sentences:

4 Such notice shall clearly and simply, in language under-
5 standable to the general public, explain its legal effect, state

6 clearly that it is not an official or judicial document, and that
7 the recipient may have the matter heard in an appropriate
8 court if he wishes to continue to reside in the premises, specify
9 the date as of which the lease is intended to be terminated and
10 the amount of rent due, and notify the tenant of his right to
11 tender all rent due before a specified date and thereby avoid
12 eviction. When such notice is addressed to any Spanish-sur-
13 named person, or any other person whom the landlord knows
14 or has reason to know principally speaks Spanish, it shall in-
15 clude a statement, conspicuously displayed and written in
16 Spanish, that this is a notice of termination of tenancy and
17 persons who do not speak English should have it translated
18 as soon as possible.

1 SECTION 3. Section twelve of said chapter one hundred
2 eighty-six is hereby amended by adding the following senten-
3 ces:

4 Such notice shall clearly and simply, in language under-
5 standable to the general public, explain its legal effect, state
6 clearly that it is not an official or judicial document and that
7 the recipient may have the matter heard in an appropriate
8 court if he wishes to continue to reside in the premises, specify
9 the date as of which the tenancy is intended to be terminated,
10 the reason for termination, and the amount of rent due if any,
11 and notify the tenant of his right to tender all rent due before
12 a specified date and thereby avoid eviction when such applies.
13 When such notice is addressed to any Spanish-surnamed per-
14 son, or any other person whom the landlord knows or has
15 reason to know principally speaks Spanish, it shall include a
16 statement, conspicuously displayed and written in Spanish, that
17 this is a notice of termination of tenancy and persons who do
18 not speak English should have it translated as soon as possible.

1 SECTION 4. Section thirteen of said chapter one hundred
2 eighty-six is hereby amended by adding the following senten-
3 ces:

4 Such notice shall clearly and simply, in language under-
5 standable to the general public, explain its legal effect, state

6 clearly that it is not an official or judicial document and that
7 the recipient may have the matter heard in an appropriate
8 court if he wishes to continue to reside in the premises, and
9 specify the date as of which the tenancy is intended to be
10 terminated, the reason for termination, and the amount of rent
11 due if any. When such notice is addressed to any Spanish-sur-
12 named person, or any other person whom the landlord knows
13 or has reason to know principally speaks Spanish, it shall in-
14 clude a statement, conspicuously displayed and written in Span-
15 ish, that this is a notice of termination of tenancy and per-
16 sons who do not speak English should have it translated as
17 soon as possible.

