



REPORT: Due Process Rights Rescinded in MA Housing Courts' Eviction Cases

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Time to Return to Constitutional Guarantees



Report by the Massachusetts Alliance Against Predatory Lending, 12/13/24

HOUSING COURT DUE PROCESS VIOLATIONS DOSSIER – 12/27/24

I. *Purpose Of And Protection Via Uniform Due Process Rules (Bold added)*

The summary process statute, G.L. c. 239, and the Uniform Summary Process Rules, evidence the General Court's clear intent that possession of residential dwellings be recovered through **a carefully-constructed procedure which invokes vigilant judicial supervision in situations where fundamental rights to home and shelter are uniquely and commonly susceptible to abuse.** Brief, p.38, Mass. Attorney General Scott Harshbarger, *Attorney General v. Dime Savings Bank FSB*, 413 Mass. 284, (1992)

Judicial protection of the sanctity of the home is a basic tenet of our law. **The home is "at the center of those property interests historically sought to be protected by due process."** O'Bannon v. Town Court Nursing Center, 447 U.S. 773, 792, n. 2 (1980) (Blackmun, J., concurring).

⇒ ***FORMAL SUSPENSION OF ALL DUE PROCESS RULES: 10/17/20***
And CONTINUING INDEFINITELY

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Government resources

<https://www.mass.gov/info-details/respond-to-an-eviction-against-you>

<https://www.gbls.org/MADE>

<https://www.mass.gov/doc/summary-process-eviction-answer-form-housing-court-0/download>

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