

Massachusetts Alliance Against Predatory Lending

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For Immediate Release

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MASSACHUSETTS RESIDENTS START SEVENTH YEAR WITH NO GUARANTEED RIGHTS IN ALMOST ALL EVICTION CASES

TODAY, October 6, 2026, homeowner legal occupants, tenants and advocates in the Massachusetts Alliance Against Predatory Lending are demanding action from any and all branches of the Massachusetts government that believe in enforcing our rights, due process and a Constitutional legal system as to your right to occupy your home.

“I dutifully responded to a summons for eviction. The owner, apparently, filed a leger claiming to prove nonpayment of rent, avoided their legal obligation to serve it on me. It is untrue – omitting many rent payments. Housing Court never bothered to check, but let the owner be represented by a nonlawyer to speak for her in court. I was barely ever allowed to talk, at all. The Court didn’t bother to check for the owner having property insurance. But, even when I told them, the owner had no liability/property insurance, in violation of numerous laws, my safety, and the injury that occurred to me by her fault – the Judge ruled for them to evict me. The Court violated all of my rights,” explained Tina Degree of Lowell, defendant in Northeast Housing Court

“I dutifully answered a summons to evict by an LLC that, it turns out, never legally existed in Massachusetts, could not possibly own my home or bring a court case in Massachusetts. I filed all the evidence of no state registration to the judge, and the judge let them go forward; she did not report the nonexistent LLC’s lawyer for lying to the court continuously that he had a client, which should have meant his bar license was rescinded. Then, she let sheriffs evict and claim to serve No Trespass Letters on behalf of the people apparently behind the fraudulent nonexistent LLC,” said Ederina Bako Housley about her mistreatment in Southeast Housing Court and illegal lock-out from her home.

“I went all the way through my court case prior to all due process rules and rights being suspended for defendants. I won reversal of the judgment from the Massachusetts Supreme Judicial Court, but when it came back, all the rules were gone, because of the top judges in the Housing Court. The clerks never entered the actual wording of the SJC’s reversal of the judgment. To this day, I am being threatened with eviction with the clerks violating even the Housing Court judge’s order to correct the judgment on the docket,” explained Mr. Tommy Morris of Brockton as to acts in MetroSouth Housing Court.

On October 5, 2020, the Massachusetts Housing Courts, which are legislated to adjudicate almost all residential evictions in Massachusetts, suspended all due process rules across the state in the Housing Courts; this Court Division’s leadership claimed at the time that they would be too overwhelmed with new cases when the COVID moratorium ended.

These are procedural rules uniquely designed for eviction cases (“Uniform Summary Process Rules”) promulgated by the court responsible for final constitutional guarantees, the Mass. Supreme Judicial Court.

Now, in violation of those, whether you have any due process rules is left up to the discretion of each judge. Therefore, they are neither guaranteed nor rules. The excuse of the short-term deluge of new cases is long since over. Anyone can look at the Massachusetts website under each of the posted Summary Process Rules and see the suspension is still ongoing of all guaranteed rules.

No Massachusetts resident who is a legal occupant of their home (either a tenant or a homeowner with a mortgage) is guaranteed any legal rights; some persons, who don't even have a legal corporation or LLC, go to court and maybe don't even file an eviction case, but just claim that you are trespassers. Now, Housing Court judges frequently allow lock-outs by both completely nonexistent "legal entities" and even facilitate removals as trespassers from a home your family may have lived in for generations.

"I was sitting in court, when the judge ordered a *capias*/bench warrant to issue for me. It is even on the official transcript that I had to ask him what a *capias* is. He and the clerk in the courtroom knew a warrant for nonappearance could not possibly legally issue. They not only issued it, they gave it to a constable they knew lacked the license for use of force to arrest anybody. They had him not slip it under my door for delivery, but post it open, for everybody else with a unit that used that entry door to see the claim that I had committed an arrestable offense. Which they KNEW I have not," John Doe tells of his experience before a Northeast Housing Court Judge.

The legal occupants quoted here are just some of the most shocking examples since the Mass. Alliance Against Predatory Lending published our report on 3/13/25: "Due Process Rights Rescinded in MA Housing Courts' Eviction Cases –Time to Return to Constitutional Guarantees".

"Now, the Housing Court judges and clerks have gotten used to having absolute power. As they say, "Absolute power corrupts absolutely.

"It is time for the people of Massachusetts to have their constitutionally guaranteed protections (both Article I of the Massachusetts Constitution Declaration of Rights and the Fourth Amendment of the U.S. Constitution). Six years is too long. Today the 1st day of the seventh is reprehensible. The Massachusetts Legislature, Attorney General and courts, and even a lawyer who witnesses any of this are in violation of their oaths of office, by not having reversed this situation already. Every week, another average 800 households will receive an illegal summons to appear in the false pretense of a courtroom that is operating completely unconstitutionally."

- Grace Ross, Coordinator of the Mass. Alliance Against Predatory Lending.

Since our report, an estimated 35,000+ Massachusetts households were served a "summons" that functions as a counterfeit of a promise to an equal legal and full hearing as a defendant in a setting that appears authorized, but lacks any constitutionally compliant existence.

We call on all people of good conscience who believe in our constitutional democracy's guarantees of rights to contact all of the above authorities and anyone else you can think of to demand an immediate change to this situation.

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- *Please call the contact – legal occupants available for follow-up.*