

Chapter 1

Using Legal Tactics

For over 35 years, **Legal Tactics: Tenant's Rights in Massachusetts** has provided renters in Massachusetts with information about laws that protect tenants. It has also served as a primary resource for landlords, attorneys, housing agencies, mediators, and the many others working in the area of landlord-tenant law.

This volume of **Legal Tactics** focuses primarily on laws that affect tenants in private housing. A second volume, entitled **Legal Tactics: Finding Public and Subsidized Housing**, provides information about public and subsidized housing programs. Both volumes are available from Massachusetts Continuing Legal Education and online at www.MassLegalHelp.org.

What's In This Book

This edition of **Legal Tactics** is organized into five main sections:

Chapters

With information and legal citations on twenty-one different areas of law, including a **Glossary** with the terms that are *italicized* throughout this book.

Booklets

A series of nine booklets to help tenants represent themselves in court.

Forms, Checklists, and Letters

Over 30 sample forms, checklists, and letters that you can use.

Laws

Text of key laws and regulations.

Directory

Of resources, with phone numbers, addresses, and websites.

Be Persistent

When you assert your rights, being persistent is half the battle. In some cases, it may be the whole battle. Tenants are often discouraged from asserting their legal rights. Landlords may try to make you feel like a troublemaker for speaking up. They may give you “reasons” that they are not making repairs. But don't be discouraged. If someone tries to intimidate you or refuses to obey the law, what you do in response is self-defense. Don't let others stop you from advocating for yourself.

Using a Range of Tactics

Although the approach you take to a problem will depend on your specific situation, there may be different ways that you can achieve your goals. As you think about how to resolve your problem, explore all of your options.

Be aware of the limits of the legal system. Tenants have achieved many important victories by successfully negotiating their own solutions, organizing with other tenants, and working with community organizations—being creative and using tactics that go beyond the remedies that courts can offer.

Get Help

You may be able to get help, information, and ideas from people and organizations in your community. There are also new online resources for tenants. Use the **Directory** to plug into the range of resources and support systems available for tenants.

Understand People's Motivations

While you view your housing as a place to live, others view housing differently. How they view it affects decisions that may have an impact on you. As you think about how to approach a problem, whom to approach for support, and how to appeal to your landlord and others, think also about their interests.

For example, tenants view their housing as their home. Private landlords view housing as a source of income. Housing inspectors view housing as a health issue. Banks view housing as an investment. Real estate agents view housing as a commodity to be bought and sold. Neighbors view housing in the neighborhood as something that affects the value of their home. Politicians view housing as an issue that may affect how people vote.

If you understand what motivates the people you need to deal with, you will be more effective in achieving your goals. Take time to figure out who's who. Listen to what they care about. This will make you a better advocate and help you make better decisions about the strategies that you use.

Support Housing Justice

The laws and programs that you rely on were not created overnight. They have been the result of countless hours and years of work by tenants and supporters who continue to speak out for national, state, and local programs and laws that will improve housing conditions for everyone. We hope that, as you use this book, you recognize that your support is also necessary in the continuing effort to provide all people with access to a decent, safe, and affordable home.

Keep Up with Changing Laws

Laws and programs change. For this reason, make sure you have the most up-to-date information. Check with a housing advocate to make sure that the information in this book that you are relying on is current.

You can also go online to www.MassLegalHelp.org and click on "Housing" to see if any of the forms or other information in **Legal Tactics** have been updated.