

# Transfer

## Representing Yourself in an Eviction Case

### Housing Courts specialize in housing matters

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Housing Courts are set up to hear evictions, housing code cases, and other housing matters. They have programs like the Tenancy Preservation Project, Lawyer for the Day, and other assistance that other courts don't have. These programs can help tenants through the court process.

### A right to transfer

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If your eviction case is in District Court or Boston Municipal Court, you have the right to transfer it to Housing Court.

You do not need a hearing to transfer your case. You only need to get your Transfer form to your landlord and the courts **the day before** your trial date.

### File your Answer with your Transfer form

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You will need to file an Answer form with the District or the Boston Municipal Court. It is best to file the Notice of Transfer form with your Answer. See **Booklet 3: Answer**.

### Find the Housing Court that serves your city or town

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Housing Courts serve the entire state of Massachusetts. There are 6 divisions that cover different regions of the state. Each division also holds hearings in different locations within its region. As of January 2022, the Housing Court is operating both remotely and in-person.

Find the address and phone number for the Housing Court that serves your city or town. See [Mass.gov/orgs/housing-court/locations](https://www.mass.gov/orgs/housing-court/locations).

Find contact information for programs that help tenants and look for additional information available in each of the divisions at [Mass.gov/guides/housing-court-resources](https://www.mass.gov/guides/housing-court-resources).

# How to transfer your case to Housing Court

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## Fill out a Notice of Transfer form

The letters in these directions match those on the top part of the form in this booklet.

- a) Write the name of your county.
  - b) Copy your landlord's name from the **Summons and Complaint**.
  - c) Copy your name from the **Summons and Complaint**. Spell your name on the Notice of Transfer form exactly the way it appears on the **Summons and Complaint**, even if it is wrong. You can ask the court to fix mistakes later.
  - d) Copy the name of the District Court or the Boston Municipal Court from the **Summons and Complaint**.
  - e) Fill in the Docket Number of your case if you know it. The Docket Number is the number the court has assigned to your case. It may be in the top right corner of the **Summons and Complaint**. You can also ask the court's clerk for it.
- In the middle of the form, after the words "geographic jurisdiction of the \_\_\_\_\_", fill in the Housing Court division you are transferring your case to. This is the Housing Court that serves your town. It will be one of these divisions:  
**Eastern | Northeastern | Southeastern | Metro South | Central | Western**
  - Sign and date the form.
  - Write your name, address, phone number, and e-mail, if you have one.
  - If your landlord has a lawyer, fill in the lawyer's name, address, and telephone number. If your landlord does not have a lawyer, fill in your landlord's name, address, and telephone number.

## File the form before your court date

When the form is complete, make 3 copies.

- File the **original Notice of Transfer** with the clerk's office at the District or Boston Municipal Court listed on your **Summons and Complaint**.
- File 1 **copy** with clerk's office at the Housing Court that serves your city or town.
- Give 1 **copy** to your landlord or their lawyer.
- **Keep** a copy for yourself. Have it with you for your first court date in Housing Court.

## What happens after I file the Notice of Transfer form?

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When you file the Notice of Transfer, the District Court or Boston Municipal Court will transfer your case to the Housing Court automatically.

**The Housing Court will mail you and your landlord a letter with the new court date.**

If you do not get a letter, call the clerk's office in the Housing Court that serves your city or town and ask for the date of your first court event.

You do not have to talk to a judge to transfer your case. The only thing you need to do is prepare for your hearing and go to Housing Court on the date of your hearing.

**TRANSFER FORM**  
**COMMONWEALTH OF MASSACHUSETTS**  
**TRIAL COURT**

a. \_\_\_\_\_, ss:  
County

d. \_\_\_\_\_  
Name of Court

b. \_\_\_\_\_  
Plaintiff(s) – Landlord(s)

e. \_\_\_\_\_  
Docket No. Summary Process

vs.

c. \_\_\_\_\_  
Defendant(s) – Tenants(s)

**NOTICE OF TRANSFER TO HOUSING COURT**

The undersigned states that a trial has not yet begun in this originating court, that this action is within the subject matter and geographic jurisdiction of the \_\_\_\_\_ Housing Court, M.G.L. c. 185C, §§3 and 20, and that a copy of this transfer notice has been served upon all opposing parties as listed below.

\_\_\_\_\_  
Signature and Date:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Address and Telephone:

\_\_\_\_\_  
Email (if any)

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Send copy to applicable Housing Court**