

Know Your Rights: Housing

This fact sheet is for educational purposes only. Nothing here should be considered legal advice. Please consult a lawyer for more specific information.

Updated as of March 2025

Key Terms

- **Landlord:** a person who owns property that they rent to a person
- **Tenant:** a person who rents property from a landlord
- **Eviction:** the legal process that a landlord uses to require a tenant to move out
- **Trespassing:** entering or staying on another person's property without permission

Rights if You are Renting

- You have the right to...
 - ask your landlord to fix any unhealthy conditions/or make repairs to things that do not work
 - a safe living space that includes heating, hot water, and electricity systems that work
 - live in your apartment until you decide to move out, a judge orders you to move out, or your landlord files and wins an eviction case in court
 - refuse to pay any illegal fees
 - take your landlord to court if they do something illegal
- Your Landlord **cannot** enter your apartment without permission unless there is an emergency or court order, and if you are a tenant, they **cannot** lock you out or put your personal belongings out without going to court!

As a tenant, you are responsible for...

- paying rent- even if you are being evicted
- keeping the apartment in good shape
- being mindful not to disturb other tenants in the building
- not making excessive noise/creating a dangerous environment
- following anything else in your lease agreement

Eviction

- Your landlord has to go to court, file a case, and win before you are forced to move out
- Process
 - **Part 1: Notice to Quit**
 - that your tenancy will end in a certain number of days (and this number depends on the reason for the eviction)
 - state the reason(s) you are being evicted
 - You CAN be evicted for:
 - Cause - violations of your lease agreement or property rules, drug abuse or criminal activity on the property, etc.
 - Nonpayment- not paying rent
 - No cause/No fault – non-renewal of lease, the landlord is selling property, etc.
 - **Part 2: Summons and Complaint**
 - You will receive this:
 - After the vacate date in the Notice to Quit has expired
 - If you have not vacated (or in nonpayment cases, you have not paid off your balance)
 - This is the Landlord's notice to you that they are filing the eviction case in court.
 - The Summons must state a reason for the eviction, and the reason stated in the Summons must match what is in the Notice to Quit.
 - The Summons must be served by a licensed constable.
 - **Part 3: Court**
 - After receiving the Summons from the Housing Court, you will receive a Notice notifying you of the date, time, and location of your first court date
 - Your answer is due 3 business days before the first court date

Options if you are Unhoused

- Young Adult Emergency Housing Options and Supports (**ages 24 and under**)
 - <https://www.mass.gov/info-details/list-of-young-adult-emergency-housing-options-supports-ages-24-and-under>
 - Has the phone numbers of different organizations that provide emergency bed locations
- If you are **under 18**, some shelters may not be an option
 - Check out Basic Center Programs (programs for those under 18)
- Requirements for staying in a shelter
 - each shelter has **different requirements**, but some **common** ones include no drinking alcohol, no using drugs, following their curfew rules
 - length of time that shelters allow people stay depends on the shelter
- Apply for public housing/help paying for housing
- **Call 211** for general information about programs in your area

Couch Surfing

- If you have been staying for free at a friend's house and they are kicking you out...
 - because you are staying for free, you **do not have the same rights as a tenant**
 - BUT... depending on how long you have been staying there, you may have an argument that you are a month-to-month tenant
 - your friend may call the police to have you **removed** as a trespasser
 - your friend will need to **request that you leave** (sometimes this may have to be in writing); if you refuse, the friend will need to go to court to start an **eviction process**

Public Housing

- What: housing that the government helps pay for
 - Public housing: your landlord is a local housing authority, and you live in the community where you applied
- Who can get public housing
 - People who **make less than a certain amount of money** every year and are **experiencing housing instability**
 - **Many programs** require that you are **18+** or have court-ordered emancipation
- Rights as someone living in public housing:
 - You have the same rights as someone who lives in non-public housing

Vouchers

- What:
 - Vouchers **help pay for rent**
 - There are different kinds that you can apply for
- Rights as someone using vouchers to pay for housing:
 - You have the **same rights as someone who does not use vouchers** to pay for rent
 - You have the **right to be free from discrimination**
 - ex: Your landlord cannot discriminate against you/refuse to rent housing to you because you have rental vouchers

If you are Denied Public Housing/Vouchers

- If you get a denial letter, read it to see the reasons (ex: record of disturbing neighbors)
- You can appeal the decision
 - The denial letter will tell you how to request this meeting/hearing



Resources

Eviction

- If you need support filing your Answer (response to your landlord's complaint that is your opportunity to explain to the court why you should not be evicted):
 - <https://interviews.gbls.org/run/eviction/#/1>
- You can bring a lawyer to help you through the court/eviction process
 - visit masslegalservices.org to see what programs might be available to you
- Need support navigating the court system:
 - <https://www.mass.gov/locations/springfield-court-service-center>

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Applying for Public Housing/ Rent Assistance

- "A Guide to Obtaining Housing Assistance"
 - <https://www.mass.gov/guides/a-guide-to-obtaining-housing-assistance>
 - Has resources on the types of programs offered and how to apply to each
- CHAMP (Common Housing Application for Massachusetts Programs) application either online or on paper
 - <https://publichousingapplication.ocd.state.ma.us/>
- Residential Assistance for Families in Transition program (RAFT)
 - Gives short-term financial help to certain people, and this includes unaccompanied youth who are homeless or at risk of becoming homeless
 - Additional information and online application can be found here:
 - <https://www.mass.gov/info-details/residential-assistance-for-families-in-transition-raft-program>
- Rental Assistance Division
 - Contact: **617-573-1250**, Monday-Friday 8:45am-5:00pm for any questions
- See if you are eligible for the HUD Foster Youth to Independence Voucher
 - https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/fyi
- If you are denied public housing or vouchers:
 - https://www.masslegalservices.org/system/files/library/Booklet_7_Challenging_a_Denial_of_Housing.pdf

To Learn More About Housing and Other Rights:

- <https://www.homelessyouth.org/en/us/massachusetts>

