

Massachusetts Landlord-Tenant Law, Fall 2022
Judge Timothy F. Sullivan (978-500-6920)

SYLLABUS

As a guide, we will follow the *Residential and Commercial Landlord-Tenant Practice in Massachusetts* (MCLE, Inc. 3rd Edition 2016, with 2018 and 2020 Supplements), a reference tool commonly used by attorneys handling such matters.

Reading assignments will be given regularly throughout the semester, and periodically supplemented by the distribution of additional relevant materials.

Questions and open dialogue on the legal principles covered in class, including legal argument between and among students, is strongly encouraged. Final grades may be lowered by as much as 1/3 for students who fail to attend, prepare or actively participate in class.

Class Meeting

Topics

1 - 4

Introduction of the course;
Discussion of goals and expectations;
Tenancies defined & compared to
other rights or real estate interests;
Assignments and Subleases.

5 - 9

Tenant's obligations to
landlord; Termination of a tenancy;
Cure rights; Self-help; Death of a
party; Foreclosure; Common nuisance
statutes.

10 - 12

Prosecuting an eviction case;
Jurisdiction; Prima Facie evidence;

The Complaint and Answer;
Discovery; Eviction Timeline.

13

Review for Mid-Term Exam

14

Mid-Term Exam (30% of final
grade)

15 - 24

Landlord's obligations to
Tenant; Procedural, Jurisdictional and
Statutory Defenses & Counterclaims.

25 - 26

Trial;
Appeals and other post-trial
considerations; Mediation;
Significance of Execution for
Judgment; Move & Storage Law.

27

Civil Claims; Code
Compliance; Covenant of Quiet
Enjoyment; Claims under G.L. c.
93-A; Surrender and Abandonment.

28

Comprehensive Review for
Final Exam;

29

Final Exam (70% of grade for
course)