

Massachusetts ,Landlord-Tenant Law II
Spring 2026
Hon. Timothy F. Sullivan (978-500-6920)
SYLLABUS

Course Description and Objective: This course is designed to give students a thorough understanding of the fundamental principles of Massachusetts Landlord-Tenant Law, and develop the necessary skills to conduct an eviction trial in Massachusetts courts. Students will complete a comprehensive review of relevant statutes and case law, identify common types of tenancies, and review proper termination techniques. Students will prepare Summary Process Complaints and written answers that assert procedural and statutory defenses and counterclaims, and will present dispositive motions, opening & closing statements, and a full trial.

Course Material: As a guide, the class will follow *Residential and Commercial Landlord-Tenant Practice in Massachusetts* (MCLE, Inc. 4th ed. 2022).

Instructional Mode: 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 miss classes, fail to prepare, or refrain from active class participation.

Class Meeting

Topics

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| 1 - 4 | Introduction of the course; Discussion of goals and expectations; Tenancies defined & compared to other rights or real estate interests; Assignments and Subleases. Tenant's obligations to landlord; Termination of a tenancy; Cure rights; Self-help; Death of a party; Foreclosure; Common nuisance statutes. |
| 5 - 9 | Prosecuting an eviction case; Jurisdiction; Prima Facie evidence; The Complaint & Answer; Discovery; Eviction Time Line. Landlord's obligations; Procedural, Jurisdictional and Statutory Defenses & Counterclaims. |

10 - 12	Trial; Appeals and other post-trial considerations; Mediation; Significance of Execution for Judgment; Move & Storage Law. Civil Claims; Code Compliance; Covenant of Quiet Enjoyment; Claims under G.L. c 93A; Surrender and Abandonment.
13	Review for Midterm Exam;
14	Midterm Exam (30% of grade)
15 - 16	Presenting Prima Facie Case
17 - 20	Asserting Defenses and Counterclaims; Arguing Dispositive Motions
21	Presentation of Documentary and Photographic Evidence
22 - 23	Presentation of Plaintiff's Rebuttal
24 - 27	Full Trial Practice
28	Comprehensive Review and Tour of Courthouse
29	Final Exam/Trial (70% of grade)