



150 YEARS
OF ADVANCING
PUBLIC
HEALTH

Massachusetts Department of Public Health

HOUSING COURT PROCEDURES AND PREPARATION

MEHA Fall Seminar 2020

December 1, 2020

Paul Halfmann, MPH, RS
Assistant Director, Community Sanitation Program

Paul.Halfmann@mass.gov

Are You Prepared For Court?

You prepare for court the day you are assigned the case

- Support Documents
 - Notes
 - If you keep detailed notes of your case, that will become your narrative when presenting your case to the court.
 - Contracts
 - Ensures appropriately licensed contractors are used when required, which is a condition of Compliance, 401.020 Definitions
 - Pictures
 - Print what you need, courts may not allow cell phones/tablets
 - Re-Inspection
 - Dates, results
 - Especially just before going to court

Are You Prepared For Court?

- Legal Documents
 - Inspection Report - 410.821
 - Conditions Deemed to Endanger - 410.750
 - Summary of Rights & Remedies
- OTC
 - Content - 410.832
 - Violations noted during the inspection
 - Timeframes - 410.830
 - Re-Inspection - 410.830(C)
 - Service - 410.833
 - Procedures in 400.400(B)(4) when posting

Are You Prepared For Court?

Organization is Key

- Plan your summary
 - Reason for inspection
 - Date of inspection
 - General description of findings
 - Proof of service
 - Deadline for completion/good faith effort
 - List of extensions given for compliance & justification
 - Results of re-inspection conducted prior to appearance
- What do you want the court to do?