

# Judge plans Massachusetts eviction moratorium ruling “As soon as I can”

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Landlords who are unable to remove non-paying tenants due to a statewide moratorium on evictions and foreclosures face “potentially devastating” economic harm, an attorney argued in Suffolk Superior Court Thursday.

A lawyer representing landlords squared off with attorneys for Massachusetts and a range of housing justice groups over whether a judge should step in and lift the temporary ban on removals, which supporters say protects thousands of renters from losing their homes during a global pandemic. Attorney Richard Vetstein contended those claims, arguing that scrapping the moratorium would not lead to a tsunami of evictions and that the policy violates landlords’ constitutional property and court access rights.

“This is literally state reps trying to be housing court judges, and it’s gone too far,” Vetstein, who is representing landlords that claimed they have lost thousands of dollars in unpaid rent from tenants during the state of emergency and have no recourse to reclaim it, said.

State attorney Jennifer Greaney said the Legislature is well within its rights to order stays in court action, stressing that landlords will still have the right to pursue action against tenants once the public health crisis ends.

The moratorium was scheduled to end on Aug. 18, but Gov. Charlie Baker used an option available to him under the new law to trigger an extension until Oct. 17. Through more than

two hours of oral arguments, Suffolk Superior Court Judge Paul Wilson did not indicate how he plans to rule on the case in which plaintiffs are seeking a preliminary injunction. At the end he said he would “issue a decision as soon as I can.”