

## Housing Court expansion will increase access to justice

By: admin May 25, 2018

The Fiscal Year 2018 budget that Gov. Charlie Baker signed last summer included a provision authorizing the expansion of the Housing Court.

The measure expanded the court's jurisdiction to encompass an additional 2 million people in cities and towns in Barnstable, Middlesex, Norfolk, Suffolk, Dukes and Nantucket counties. Previously, only about 70 percent of the state fell within the jurisdiction of one of the five Housing Court divisions.

The legislation adjusted the boundaries of four of the five existing divisions; created a sixth division, Metro South; and authorized \$750,000 to implement statewide coverage.

The Housing Court has jurisdiction over civil and criminal actions that involve the health, safety and welfare of residential property occupants or owners. In addition to eviction cases, the court hears small claims cases and civil actions involving personal injury, property damage, breach of contract and discrimination. It also has jurisdiction over code enforcement actions and appeals of local zoning board decisions involving residential property.

Baker has now nominated five attorneys to fill new seats on the bench created as part of the expansion. Three of the nominees have already been confirmed, with the remaining two expected to be voted on in the coming weeks. Once approved, the new judges will expand the 10-judge Housing Court by 50 percent.

The change is a positive one, and will make it easier for parties with housing issues, who are largely acting pro se, to get quicker resolution for their cases and better access to justice.

Housing Court is a specialist court, and the judges appointed to serve specialize in the issues before them. They develop the expertise needed to deal with the many federal, state and local laws on housing and can address issues that can require a rapid response, such as building, fire and sanitary code violations.

Bar organizations, including the Massachusetts Bar Association, have long championed expanding the Housing Court, noting that the court has a reputation for being user-friendly, efficient and helpful in reducing homelessness. It has also been a pioneer in developing lawyer-facilitated day assistance and self-help forms to serve its large number of self-represented litigants.

Adding more judges will enable the Housing Court to build on its success. Kudos to the governor and the Legislature for recognizing the court's value and providing the resources to expand access statewide.

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