

# Landlord/Tenant Law

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## Overview

A missed rent payment. A lease violation notice taped to the door. A security deposit withheld without explanation. Landlord-tenant disputes escalate quickly, and the legal framework governing them in Massachusetts is more complex than most people expect. Property owners facing non-paying tenants and renters confronting unlawful evictions both encounter a summary process that moves on a compressed timeline where missteps carry real consequences. Cohen Cleary represents both landlords and tenants in residential and commercial tenancy matters across Massachusetts and Rhode Island, providing counsel grounded in Housing Court procedure and the statutory requirements that control these disputes from first notice through final resolution.

## How We Help: Eviction, Security Deposit, and Lease Dispute Representation

Our landlord-tenant practice covers the full scope of disputes and transactions that arise in the rental relationship.

For landlords, we handle summary process filings, lease drafting and enforcement, rent recovery, property damage claims, and compliance with Massachusetts security deposit requirements under M.G.L. c. 186, § 15B. We advise on notice requirements, no-fault termination procedures, and the particular challenges facing landlords in municipalities that have enacted just cause eviction ordinances. Landlords who need an eviction lawyer familiar with Housing Court docket pressures will find that preparation at this stage separates a straightforward resolution from months of delay.

For tenants, we provide eviction defense, habitability claims, security deposit recovery actions, retaliation claims, and lease negotiation. As an eviction defense attorney practice, we help tenants understand and enforce the substantial protections Massachusetts law provides, including rights that override conflicting lease terms. Tenants searching for a tenant rights lawyer should know that the strength of their position often depends on raising the right defenses at the right procedural stage.

We also advise commercial landlords and tenants on lease negotiations, buildout provisions, assignment and subletting issues, and the distinct legal framework governing commercial tenancies. Commercial disputes involve different procedural rules and damage calculations than residential matters. Clients navigating any rental dispute attorney services will find that we tailor our strategy to the specific tenancy type and forum.

## Why Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined

execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

### Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

### Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

### Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

### Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

### Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our landlord-tenant work, this approach helps clients navigate Housing Court proceedings and tenancy disputes with clarity, efficiency, and confidence.

## Our Approach to Summary Process and Housing Court Advocacy

We tell our clients that the outcome of a landlord-tenant dispute is often determined before anyone sets foot in a courtroom. Proper notice, strict compliance with security deposit requirements, and accurate documentation of lease violations form the foundation of every strong case. We prepare each matter with trial-level discipline because Housing Court judges scrutinize procedural compliance closely. A landlord who serves defective notice or mishandles a security deposit can lose an otherwise straightforward eviction and face statutory penalties. A tenant who fails to assert habitability defenses or retaliation claims at the right stage may waive them entirely. Clients who need a summary process attorney benefit from counsel that understands these pressure points before they become problems.

## What Landlords and Tenants Get Wrong

Massachusetts tenant protection laws are among the strongest in the country. Landlords who rely on lease provisions that conflict with state law often find those provisions unenforceable. Security deposit violations alone can result in treble damages under M.G.L. c. 186, § 15B, even if

the landlord returns the full deposit. A lease violation attorney who understands these statutory traps can help landlords avoid liability that transforms a simple dispute into a costly judgment, and can help tenants assert claims they may not realize they have.

## Representing Landlords and Tenants Throughout New England

Cohen Cleary represents landlords and tenants from offices in [Taunton](#) and [Plymouth](#), with active practice in Housing Court divisions across Massachusetts and in Rhode Island District Courts. Our attorneys are familiar with the procedural practices, mediation programs, and case management expectations of southeastern Massachusetts Housing Court sessions, where docket volume and judicial preferences meaningfully affect case strategy. Clients seeking a Massachusetts Housing Court lawyer or a security deposit lawyer with local court experience will find that familiarity with these forums is a practical advantage, not a marketing claim.

## Schedule a Consultation With a Massachusetts Landlord-Tenant Attorney

If you are facing an eviction, a lease dispute, or a security deposit issue, contact Cohen Cleary to speak with a landlord-tenant attorney that Massachusetts property owners and tenants trust for practical guidance and Housing Court experience. Whether you need a Taunton eviction lawyer, a Plymouth landlord attorney, or a tenant attorney, Massachusetts residents can reach any of our three offices and schedule a consultation today.

## Frequently Asked Questions About Landlord-Tenant Law

### How long does the eviction process take in Massachusetts?

The summary process typically takes several weeks to several months, depending on the court division, the basis for eviction, and whether the tenant contests the action. The process requires strict compliance with notice requirements before filing, and the court may schedule mediation or a hearing on the merits. Procedural errors in the notice or complaint can reset the timeline entirely.

### What are the security deposit rules for Massachusetts landlords?

M.G.L. c. 186, § 15B imposes detailed requirements on how security deposits must be collected, held, documented, and returned. Landlords must hold deposits in a separate, interest-bearing account, provide receipts and annual interest statements, and return the deposit with interest and minus documented deductions within 30 days of tenancy termination. Violations can expose landlords to treble damages, even if the full deposit is ultimately returned.

### Are COVID-era tenant protections still in effect in Massachusetts?

The emergency eviction moratorium and related pandemic-era tenant protections enacted during 2020 and 2021 have expired. However, some municipalities adopted local measures extending certain protections or implementing new just cause eviction requirements during that period. Landlords and tenants should verify whether local ordinances adopted during or after the pandemic affect their rights, as these vary significantly by municipality.

### Does Cohen Cleary represent both landlords and tenants?

Yes. We represent landlords in eviction proceedings, lease enforcement, and rent recovery, and we represent tenants in eviction defense, habitability claims, and security deposit disputes.

Ethical screens ensure that we do not represent adverse parties in the same dispute.