



Law Offices of Sweet & Rose

South Shore, MA

Q: I am buying a house, what will a real estate attorney do for me?

A: We will make sure the contract you sign will protect you. We will monitor important dates so that you do not lose your rights by missing a deadline. In some cases, we will examine the title to the property. In others, the mortgage lender will have their own attorney examine the title. We will advise you about the title insurance, what you need to do to complete the purchasing process explain all of the legal documents you sign at the closing. We will also prepare a Homestead for you.

Q: I am considering buying a house at foreclosure auction. What should I be concerned about?

A: The current real estate market has spawned new rash of foreclosures. Real estate prices are stable or declining. People who were previously able to refinance their way out of trouble are no longer be able to do so. As more foreclosure auctions take place more people will consider bidding for properties at the auctions. [Read Full Article](#)

Landlord Tenant Questions:

Q: I am a residential land lord and my tenant is not paying rent. What do I need to do?

A: Massachusetts has extensive laws concerning the rights and obligations of landlords and tenants. Those laws set out specific procedures that must be followed. Any landlord who does not follow the legally mandated procedures is subject to significant penalties. When a tenant does not pay their rent, you should serve them with a fourteen day notice to quit. If at the end of the fourteen day notice period, they haven't paid their rent, and you want to evict them, you must file an eviction proceeding in the District Court or Housing Court. There is no other way or shortcut to evict a tenant.

Q: I am a landlord about to rent an apartment to a tenant, should I take a security deposit and do I need to have a written agreement?

A: Massachusetts law sets out very specific rules about security deposits. As a landlord, holding a security deposit will give you some protection should your tenant damage the apartment or leave without paying some rent. But it is very important that you learn the rules and follow them. If you collect a security deposit without knowing the rules you will be subject to having to pay significant penalties and ignorance of the law will not protect you.

We recommend that you always have your tenant sign a written tenancy agreement which can be a lease or tenant -at-will agreement.

Q: I am a tenant and my landlord refuses to repair serious problems in my apartment. What can I do?

A: All landlords of residential property are required by law to keep their apartments in a safe and habitable condition. They are prohibited from transferring the obligation to their tenants. If you believe your apartment is in an unsafe or uninhabitable condition (for example you have no heat, there is a rodent infestation, or there is a dangerous condition likely to cause an injury to someone), and your landlord refuses to fix the problem, you can call your city or town building inspector. The inspector will inspect the apartment and issue a citation to the landlord if he or she agrees with you concerning the unsafe or uninhabitable condition.

You should also know that it is illegal for a land lord to retaliate against you because you call the building inspector. If the landlord does retaliate against you, you will have the right to obtain money damages against the landlord for violating your rights.

If you have any urgent questions or comments, please call us at 781-341-6375 or [contact us](#).



[Print Version](#)



[Send to a friend](#)