

BEWARE OF WEEKEND GUESTS

Be careful as to whom you invite to stay overnight in a property you own. Be more careful in agreeing to let any guest linger beyond the time for which they were invited.

If your guest puts their mind to it, it takes no time at all for the guest to become a legal and non-paying tenant in the property. Yes, tenant. Recently in the news and in my office there have been many such stories.

The little known fact is police departments generally do not remove such “guests” even if the homeowner files a complaint that the “guest” is now a trespasser. If the “guest” says they have been living at your residence and even are willing to state that they have not paid rent, most police departments’ policy is to not remove the “guest” despite the owner’s claims.

Massachusetts law is exceptionally and strongly pro-tenant, and you will have to take legal action to remove unwanted guests. Yes, legal action. Summary Process, a/k/a Eviction is your sole course of action. At the minimum, you will spend a couple of months with your “guest” still living with you. You will likely spend a thousand (\$1,000) dollars to obtain a court order to have them removed. After the court order, if the “guest” does not voluntarily depart on the date so designated, your fees and costs to have them physically removed are somewhere around \$5,000.00. That cost covers Constable fees to have your ‘guests’ escorted out the door and for you to not be in trouble with the law.