

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss:

HOUSING COURT DEPARTMENT
WORCESTER DIVISION
Civil Action No. [REDACTED]

ATTORNEY GENERAL for the
COMMONWEALTH OF
MASSACHUSETTS and the CITY OF
WORCESTER,

Petitioners,

v.

[REDACTED]

Respondents.

NOTICE OF HEARING

Please take notice that the undersigned will bring the above-referenced action before the Worcester Housing Court for a hearing on **Wednesday, February 26, 2014 at 9:00 a.m.** or as soon thereafter as counsel can be heard. The purpose of the hearing is to address the merits of the Petition to Enforce the State Sanitary Code and for Appointment of a Receiver, and to allow counsel for respondent [REDACTED] to propose a plan for the repair of the property located at [REDACTED], Worcester, Massachusetts.

As reasons therefor, the Petitioners state that they have been informed that no judge will be available to hear Housing Court matters on February 19, 2014. The Petitioners hereby request that the matter be further heard before this Court on **Wednesday, February 26, 2014 at 9:00 a.m.**

Respectfully submitted,

MARTHA COAKLEY
ATTORNEY GENERAL

By her Attorney,

Kiernan E. Reed, BBO # 672249

Assistant Attorney General

10 Mechanic St., Suite 301

Worcester, MA 01608

(508) 792-7600 ext. 4405

kiernan.reed@state.ma.us

Date: February 7, 2014

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

DISTRICT COURT DEPARTMENT
SOMERVILLE DIVISION
Civil Action. No.

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS and
the CITY OF SOMERVILLE

Petitioners,

v.

[REDACTED], as owner of
record of the property located at [REDACTED]
[REDACTED], Somerville, MA

and

[REDACTED], as owner of record of
the property located at [REDACTED],
Somerville, MA

and

[REDACTED], as a
mortgagee or party with an interest in the property
located at [REDACTED], Somerville,
MA

Respondents.

AFFIDAVIT OF SERVICE

I, Assistant Attorney General Susika Wylie, do hereby state the following to be true to the best of my knowledge:

1. I am a member in good standing of the bar of this Commonwealth.
2. I am appearing on behalf of the Petitioner, Attorney General for the Commonwealth of Massachusetts;

3. I am assigned to work with the City of Somerville (the "City") regarding the City's inventory of abandoned homes that are in violation of the Department of Public Health's Sanitary Code: 105 C.M.R. 410.00, et seq.
4. One of these abandoned homes is [REDACTED], Somerville, Massachusetts, ("the Property") which is the subject of the above-captioned petition.
5. On December 13, 2012, the Court allowed the Attorney General's motion for alternative service in the above-captioned petition. Specifically, the Court ordered the Petitioner to publish an order of notice in one issue of the Somerville Journal notifying anyone with an interest in the property that the Attorney General had commenced an action seeking to appoint a receiver to the Property. The court also ordered the Petitioner to serve the Respondents [REDACTED] through its business agent of record: [REDACTED], Manchester, CT 06040, and also to [REDACTED] at his last known address of record, [REDACTED], Somerville, MA 02145, via certified mail RRR, and First Class Mail.
6. On December 27, 2012, the notice ran in the Somerville Journal. A copy of the notice is attached to this affidavit as **Exhibit A**.
7. On or about December 21, 2012, I mailed a copy of the summons, petition packet, and cover letter to [REDACTED], via first class mail and via certified mail, return receipt requested to its business agent of record, [REDACTED]. On or around December 24, 2012, [REDACTED] accepted delivery of the packet. A copy of this receipt is attached as **Exhibit B**.

8. On or around December 21, 2012, I mailed a copy of the summons, petition packet, and cover letter to [REDACTED], via first class mail and via certified mail, return receipt requested. On or around January 8, 2013, the certified mail was returned back to my office, unclaimed and unable to forward. According to records kept by USPS, the addressee moved and left no forwarding address. However, the first class mail was not returned. A copy of the unclaimed receipt is attached as **Exhibit C**.

Signed under the pains and penalties of perjury this ____ day of February, 2014.

Susika Wylie
Assistant Attorney General

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

DISTRICT COURTS DEPARTMENT
SOMERVILLE DIVISION
C.A. NO.

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS and
THE CITY OF MEDFORD

Petitioners,

v.

██████████ as owner of the property
located at ██████████, Medford,
Massachusetts

Respondent.

**MOTION TO REDUCE TIME FOR NOTICE
TO RESPONDENT**

Now come the petitioners in the above-captioned action and move for an Order reducing the amount of time for petitioner's notice to Respondent ██████████ ("██████████"), pursuant to G.L. c.111 sec. 127I (as amended, second paragraph).

As grounds therefore, the petitioners states the following:

1. The property located at ██████████, Medford, MA ("the Property"), is abandoned with numerous, long-standing Code violations which pose a serious risk to the health, safety and well-being of abutters and residents of the community.
2. The petitioner seeks the appointment of a receiver in order to bring the Property into compliance with the Sanitary Code.
3. To provide the full 14 day notice to Respondent ██████████ would be inappropriate for the following reasons:
 - a. There is an immediate risk to the health and. safety of abutters and residents of the community, including the students, faculty and staff of the ██████████ Elementary School located directly across the street from the Property;
 - b. To provide opportunity to repair and stabilize the Property, it is necessary for the Court to appoint a receiver in an expedited manner.

WHEREFORE, the petitioners request leave of court to give Respondent 7 days' notice of a hearing to be held on **May 29, 2013** on the Commonwealth's Petition to Enforce the Sanitary Code and For Appointment of a Receiver to be mailed by certified mail, return receipt requested, on May 22, 2013.

Respectfully Submitted
by the Petitioner

MARTHA COAKLEY,
ATTORNEY GENERAL
By her attorney

Edmund Donnelly
BBO# 676889
Assistant Attorney General
One Ashburton Place
Boston, MA 02108
(617) 963-2048

Date: May 17, 2013

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

TRIAL COURT
HOUSING COURT DEPARTMENT
CITY OF BOSTON
C.A. NO.

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ATTORNEY GENERAL FOR THE)
COMMONWEALTH OF MASSACHUSETTS,)
)
)
vs.)
)
Respondents)
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MOTION TO REDUCE TIME FOR NOTICE
TO MORTGAGEES AND LIENORS

Now come the petitioners in the above-captioned action and move for an Order reducing the amount of time for petitioner’s notice to mortgagees and lienors of record, pursuant to G.L. c.111 sec. 127I (as amended, second paragraph).

As grounds therefore, the petitioners states the following:

1. The property located at [**address, city**] MA, is abandoned with no management whatsoever (“the Property”).
2. The Property has numerous, long-standing Code violations which pose a serious risk to the health, safety and well-being of abutters and residents of the community.
3. The petitioner seeks the appointment of a receiver in order to bring the Property into compliance with the Sanitary Code.
4. To provide the full 14 day notice to current mortgagees and lienors of record would be inappropriate for the following reasons:
 - (a) There is an immediate risk to the health and. safety of abutters and residents of the community;
 - (b) To provide .opportunity to repair and stabilize the Property, it is necessary for the Court to appoint a receiver in an expedited manner.

WHEREFORE, the petitioners request leave of court to give all mortgagees and lienors of record known to the petitioner 10 days notice of a hearing on the Commonwealth's Petition to Enforce the Sanitary Code and For Appointment of a Receiver to be mailed by certified mail, return receipt requested, on July 2, 2008.

Respectfully submitted,

The Petitioner,
MARTHA COAKLEY
ATTORNEY GENERAL

By its Attorney,

Stuart T. Rossman
Assistant Attorney General
ADDRESS
ADDRESS
TELEPHONE
BB0#

Dated: _____