

NOTICE OF TRESPASS

M.G.L. c. 266 § 120

TO: _____ _____ _____	PREMISES: _____ _____
FROM: _____ _____	

Greetings:

Pursuant to M.G.L. c. 266 § 120, you are hereby notified, effective immediately, that you are forbidden to enter in or upon the property of _____ located at _____ within the Town/City of _____ and within the Commonwealth of Massachusetts.

You are hereby given this trespass notice because _____

Therefore, I, having lawful control of said premises and acting in accordance with M.G.L. c. 266 § 120, hereby forbid you from entering in or upon said property.

THIS NOTICE HAS ALSO BEEN PROVIDED TO THE POLICE DEPARTMENT. FAILURE TO COMPLY MAY CONSTITUTE A VIOLATION OF M.G.L. c. 266 § 120, AND YOU MAY BE SUBJECT TO ARREST WITH OR WITHOUT A WARRANT.

Owner / Tenant / Landlord / Manager

Public Officers Use Only _____

Commonwealth of Massachusetts

_____, ss.

On this ____ day of _____ 20__, before me, the undersigned officer, personally appeared _____, proved to me through evidence of identification, to wit: _____, to be the person whose name is signed on the above document and who acknowledged to me that ____ signed it voluntarily for the purpose of issuing a Notice of Trespass, pursuant to M.G.L. c. 266 § 120, to _____.

Signature of Notary Public / Justice of the Peace

PART IV.
CRIMES, PUNISHMENTS AND PROCEEDINGS IN CRIMINAL CASES

TITLE I.
CRIMES AND PUNISHMENTS

CHAPTER 266. CRIMES AGAINST PROPERTY

Chapter 266: Section 120 Entry upon private property after being forbidden as trespass; prima facie evidence; penalties; arrest; tenants or occupants excepted

Section 120. Whoever, without right enters or remains in or upon the dwelling house, buildings, boats or improved or enclosed land, wharf, or pier of another, or enters or remains in a school bus, as defined in section 1 of chapter 90, after having been forbidden so to do by the person who has lawful control of said premises, whether directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and eight or section three or four of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days or both such fine and imprisonment. Proof that a court has given notice of such a court order to the alleged offender shall be prima facie evidence that the notice requirement of this section has been met. A person who is found committing such trespass may be arrested by a sheriff, deputy sheriff, constable or police officer and kept in custody in a convenient place, not more than twenty-four hours, Sunday excepted, until a complaint can be made against him for the offence, and he be taken upon a warrant issued upon such complaint.

This section shall not apply to tenants or occupants of residential premises who, having rightfully entered said premises at the commencement of the tenancy or occupancy, remain therein after such tenancy or occupancy has been or is alleged to have been terminated. The owner or landlord of said premises may recover possession thereof only through appropriate civil proceedings.