

COMMONWEALTH OF MASSACHUSETTS NORTHEAST HOUSING COURT

BLANCA G

Plaintiff

- v. -

No. 04-CV-00067

JOHN VASILIOU

Defendant

ORDER

After hearing, I find, rule, and order that, as shown by the Lynn District Court abuse prevention orders No. 04-13-RO-0461, issued May 10, 2004, and May 24, 2004, the plaintiff tenant Blanca G has a well-founded fear for her safety because her estranged husband Rafael G knows where she lives; which supervening circumstance destroys the expected value of her continued residence at the 24 Lewis Street, Lynn, rental premises; that Blanca G needs to move her residence to a place that is not known by Rafael G; such that she may discharge and be excused from her obligations under the yet unexpired one year term Section 8 lease. See, Chase Precast Corporation v. John J. Paonessa Co., 409 Mass. 371, 566 N.E.2d 603 (1991) , aff'g 28 Mass. App. 639, 554 N.E.2d 868 (1990) (discussing the doctrines of impossibility, frustration of purpose, commercial impracticability)

Settle the form of order or judgment on notice.

David D. Kerman

Associate Justice

June 3, 2004