

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

HOUSING COURT DEPARTMENT
METRO SOUTH DIVISION
CIVIL ACTION NO. 24-CV-0086

_____)
 ATTORNEY GENERAL for the)
 COMMONWEALTH OF MASSACHUSETTS)
)
 Petitioner,)
)
 v.)
)
 THE WHEELER FAMILY FUNDING TRUST, as)
 Owner of the property located at 80 West Street,)
 Medway, Massachusetts,)
)
 Respondent.)
 _____)

NOTICE TO POTENTIAL BUYERS

By order of the Court, the Receiver Howard S. Goldman has been instructed to distribute the notice to potential purchasers of 80 West Street, Medway, Massachusetts, Massachusetts (“**Property**”).

As a result of the Order that the Property is unfit for human habitation and endangers or materially impairs the health, safety, and well-being of occupants, neighbors, and/or the public in violation of 105 CMR 410.750, the Property was placed into receivership on October 4, 2024. This means that since that date the land and building thereon have been in the custody of the Court, managed by the Receiver, acting as an agent of the Court.

At any auction sale held at the Property, the sale will transfer title to the Property and the successful bidder/owner shall promptly be substituted for the Respondent in this action, subject to the terms and conditions of the Order of Receivership. The Receiver shall continue to remain in possession of the Property until further notice of the Court.

To dissolve the receivership, any bidder, prospective owner, or new owner of the building must demonstrate the following:

1. The bidder/owner is fully informed of the condition of the Property, including the exterior of the Property, the interior of the building, and the garage;

2. The bidder/owner has the financial ability, following the sale, to repair or remove or demolish promptly any conditions in violation of the standards of fitness for human habitation established under the state sanitary code, or other applicable laws ordinances, by-laws, rules or regulations affecting the health safety or well-being of the occupants;
3. The bidder/owner has a plan for timely implementing such repairs, removal or demolition, including cost estimates for major repairs or demolition, financing , so that such repairs or demolition can be completed within 90 days of the sale; and
4. The bidder/owner has staff with the skills and experience to implement the plan referred to in section 3, above.

Any bidder, potential owner or new owner may appear before the Court to obtain a ruling or clarification of these issues by scheduling a hearing in this matter, with advance notice to the parties of record including the Receiver, counsel for the Attorney General, the Respondent, and the Town of Medway.

Bidders shall make a good faith deposit of \$7,500, by bank or certified check, at the time of auction or sale of the Property.

Pursuant to G.L. c. 111, sec. 127I, sixth paragraph, any prospective bidder is hereby informed that any decision concerning the receivership of the Property shall not relieve such bidder, after becoming an owner from civil or criminal liability or any duty imposed by law, nor shall it suspend any obligation of such owner to pay for taxes, operating or maintenance expenses, or for repair of the Property.

Dated:

Honorable Maria Theophilis
Associate Justice