

CIVIL COURT OF THE CITY OF NEW YORK

Chief Clerk’s Memorandum

Subject: Housing Stability &
Tenant Protection Act -EED

Class: CCM-209
Category: LT- 30
Eff. Date: Immediately

=====
BACKGROUND

On June 14, 2019 the Housing Stability and Tenant Protection (HSTP) Act of 2019 was enacted. The HSTP is directed to take effect immediately and applies to summary proceedings commenced on or after **June 14, 2019**.

The HSTP directs that every warrant must state “the earliest date upon which execution may occur pursuant to the order of the court” and must “command the officer to remove all persons named in the proceeding...”

In order to ensure compliance with The Housing Stability and Tenant Protection Act and establish uniform procedure citywide we are issuing the following directive.

DIRECTIVE

Where there is a request for a judgment based on a respondent’s failure to answer, the clerk will generate the decision and order form in the UCMS-LC (Housing) database. The clerk will then stamp the order with the “Earliest Execution Date stamp” (EED) that reads “The earliest date execution of this warrant may occur pursuant to the order of the court is _____”.

Where there is a judgment rendered after trial, stipulation, hearing, or inquest, the decision/order or file jacket should be stamped with the EED stamp, allowing the reviewing Judge to provide the EED. The clerk will capture this information when generating the judgment.

The earliest execution date (EED) should never be determined or calculated by the clerk and is in the discretion of the reviewing Judge. No EED should be changed during the warrant issuance process without judicial insight.

August 22, 2019

/S/
Alia A. Razzaq
Chief Clerk
Civil Court of the City of New York