

ANSWER IN WRITING INSTRUCTIONS

Only the Respondent or a person having rights to possession can “Answer” the petition.

You will receive an *Answer in Writing (CIV-LT-91b)* form (4 copies), an *Affidavit of Service by Mail (CIV-GP- 11)* form and the *Answer in Writing Instructions (CIV-LT-69)*.

You must complete the *Answer in Writing* form.

The form must be notarized or verified by a court employee.

One copy of the completed answer must be served on the petitioner or if the petitioner is represented by an attorney, it must be served on the attorney:

Have someone over the age of 18, who is not a party in this action, mail a copy of the written answer by regular first class mail to the attorney for the petitioner or to the petitioner directly only if there is no attorney.

The original (with attached 2 copies) of the *Answer in Writing* form with the completed *Affidavit of Service by mail CIV-GP-11* must be filed with the court:

For Holdover cases, if the notice of petition requires you to answer prior to the hearing date, you must return the original of the answer and affidavit of service in the court at least three days before the hearing date. Otherwise, you may bring the written answer to court on the hearing date noted on the petition.

For Nonpayment cases, return the written answer and affidavit of service to the Court within five days of receiving the notice of petition.

Upon filing the Answer to a Nonpayment Petition, the clerk will schedule the case before a judge and give you a copy of the *Answer in Writing*.

On the scheduled date you should arrive at the courthouse at least one half hour before the above scheduled time, to allow time to be processed through the metal detectors. Bring all your papers with you when you come to court for the hearing date.

An Affidavit of Unavailability (CIV-LT-107) should be used by persons who are homebound, incarcerated or otherwise unable to appear in court.

If a settlement is not reached on the above scheduled date the case may be sent to a trial-ready part for a trial.

The Clerk Cannot Change the Scheduled Date or Time.

FOR ASSISTANCE VISIT A HELP CENTER IN THE COURTHOUSE OR THE COURT’S WEBSITE: www.nycourts.gov/courts/nyc/housing/index.shtml.