



TENANT QUESTIONS & ANSWERS

Nonpayment Eviction Cases
in New York State

DISTRICT, CITY, TOWN & VILLAGE COURTS OUTSIDE NEW YORK CITY

November 2011

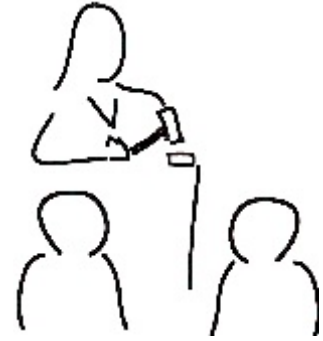
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If you live in New York City in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island, this guide is not for you. Visit: <http://www.nycourts.gov/courts/nyc/civil/pdfs/tenantsguide.pdf>.

What if the landlord/owner is suing me for not paying my rent?

The landlord/owner starts a *nonpayment* eviction case to sue you for rent. The landlord/owner is asking the court to evict you if you don't pay.



If the landlord/owner starts a case for a different reason, such as your lease expired, or you make too much noise, or you put a wall up without permission, that is not a nonpayment case. That is called a *holdover* case, even if the landlord/owner is also asking for rent. If the landlord/owner started a holdover case against you, this guide is not for you.

Is the landlord/owner supposed to ask me for the rent before starting a nonpayment case?

Yes. The landlord/owner, or someone who works for him or her, must ask you for the rent first. This is called a *rent demand*. It warns you that the landlord/owner wants the rent, and that if you don't pay, you can be evicted. The rent demand can be:

- said to you (oral demand), or
- written to you (written demand).*

Warning! If you don't pay the rent demanded by the deadline in the rent demand, the landlord/owner can start a nonpayment eviction case against you in court.

**Check your lease. The landlord/owner may have agreed to give you a written rent demand instead of just asking you for the rent, and/or may have agreed to give you more than three days' notice.*

If the landlord/owner gives me a written rent demand, when will I get it?

A written rent demand must be sent (*served*) to you at least three days before the case can be started. The rent demand must list the months and amounts of rent the landlord/owner says you owe.

What kind of a rent demand must the landlord/owner give me if I own a mobile home and I rent space in a mobile home park?

A mobile home park owner or operator must give you a 30 day written Rent Demand.

A written rent demand (sometimes called a 3 day notice) does not mean you have to move. It is different from the 72-hour Notice of Eviction (also sometimes called a 3 day notice), the paper that tells you that you have to move. (See page 13). Make sure you know what you got.

How does the landlord/owner start the case?

To start a nonpayment case, the landlord/owner must give you court papers called a *Notice of Petition and Petition*. The papers tell you the date, time and place (courtroom or *Part*) when you have to come to court. When you come to court you should *Answer* the Petition.

An Answer lets you tell the court your side of the story. Your Answer says the legal reasons that you don't owe all or part of the rent. See page 3 for how to Answer.

I paid the rent, do I still have to go to court?

Yes, you must come to court even if you paid all or part of the rent to let the court know that you paid.

What happens if I don't come to court?

If you don't come to court the landlord/owner can ask the Judge for a *judgment on default* against you. If the landlord/owner gets a judgment against you:

- you can be evicted, and
- the landlord/owner can take your salary, money or property.

See page 15 on going back to court to ask the Judge to do something on your case.

What if I can't come to court on the date I was given?

You can ask the landlord/owner to agree to a new date. If the landlord/owner agrees, get this in writing and bring it to the Court Clerk before your original court date. Or, some courts may allow you to do this over the phone. Call the court. You can also send someone to court on your court date to tell the Judge why you can't be there.

You must have a good reason why you can't come to court.

Warning! If you send someone to court the Judge may not agree to give you a new date and you may lose the case.

Do I have to have a lawyer?

It is always better to have a lawyer, but you do not have to have one. Voluntary associations and corporations must have a lawyer for cases in the District or City courts, but not in a Town or Village court.

When the landlord/owner starts a case against you he or she is the *petitioner*. You are the *respondent*.

How do I Answer a nonpayment Petition ?

There are two ways to answer the Petition:

- when you go to court tell the Clerk or Judge your Answer (oral Answer),* or
- give the landlord/owner and the Clerk or Judge a written Answer.

**If you tell the Court your Answer check to see that the Court wrote down everything you said. The Clerk or Judge must do this under the law.*

When do I Answer the Petition?

You can Answer when you go to court unless the Notice of Petition says you have to answer at least three days before your court date.

What do I say in the Answer?

An Answer lets you tell the court your side of the story. Your Answer says the legal reasons that you don't owe all or part of the rent. Your Answer also says any other reasons why the landlord/owner should not be able to win the case. The legal reasons are called *defenses*. You will have to prove your defenses in court. Tenants may have more than one defense depending on the facts of each case.

You may have a defense about the way the landlord/owner gave you the papers. For example:

- You didn't get a copy of both the Notice of Petition and the Petition.
- The landlord/owner didn't give you the court papers the way the law says.

You may have a defense about the way the parties are listed on the Petition. For example:

- Your name is not correct or is missing from the court papers.
- The Petitioner is not the landlord or owner of the building.

You may have a defense about the rent. For example:

- You were not asked to pay the rent before the landlord/owner started the case.
- You tried to pay the rent, but the landlord/owner refused to take it.
- The monthly rent listed in the Petition is not the amount you are supposed to pay.
- You paid all or some of the rent to the landlord/owner.

You may have a defense about the apartment. For example:

- You have conditions in the apartment/building which need to be repaired and/or services which need to be restored.
- You receive Public Assistance and rent payments were withheld by the agency because there are conditions that are dangerous, hazardous or detrimental to life and health.
- The apartment is an illegal apartment.

You may have a defense because you are not sure that what the landlord/owner is saying in the Petition is correct. This is called a *general denial*.

Important! If you do not tell the Clerk about a defense in your Answer you might not be able to talk about it later in your case.

What should I say if I am in the military or dependent on someone in the military?

Tell the Clerk or Judge. In some cases if you can't pay the rent because you or someone you depend on is on active duty, you may be allowed to delay the case for 90 days.

Does the landlord/owner have to give me court papers in a special way?

Yes. The written notices and the Notice of Petition and Petition must be given to you the right way. This is called *service* of papers. If the landlord/owner does not serve you the right way this is a defense. Tell the court. The Judge may make the landlord/owner start all over again. See page 5 to learn how legal papers are delivered.

What if I need repairs in my building or apartment?

If you need repairs, this is a defense to your nonpayment of rent that you should tell the Clerk when you Answer. The landlord/owner owes you a duty called the *warranty of habitability* to keep your home and building in liveable condition.

What if I live in a rent stabilized apartment?

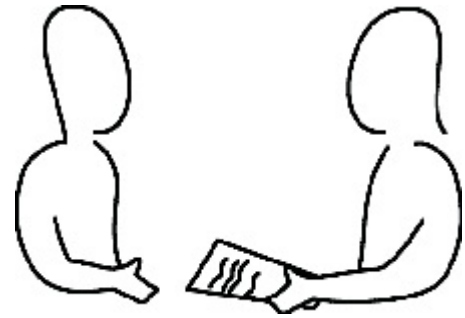
If your apartment is rent regulated you may have other defenses. For example, rent overcharge is a defense if the landlord/owner is charging you more than the legal regulated rent.

Can I make a claim against the landlord/owner?

Yes! You may add "*counterclaims*," to your Answer. A counterclaim is a claim that you may have against the landlord/owner. In a counterclaim you are asking the landlord/owner to pay you money. The counterclaim must be about the rent. Defenses, like repairs and rent overcharge, can also be counterclaims.

How are legal papers delivered?

The Notice of Petition and Petition and a written Rent Demand must be given to you the right way. This is called *service*. The person who served the papers must swear how they were given to you in an *Affidavit of Service*.



The landlord/owner handed the papers to me, is that ok?

No, the landlord/owner can't serve the papers. Someone who is 18 or older - **not** the landlord/owner - can hand legal papers to you. This is called *personal delivery*.

The papers were given to someone else to give to me, is that ok?

Maybe. Legal papers can be given to someone who lives or works in your home, this is called *substituted delivery*. Papers left with a neighbor or doorman are not served the right way.

The person the papers are left with must be responsible and likely to give you the papers. This person does not have to be an adult but it should not be a small child. Papers also must be mailed to you.

The papers were left on my door, is that ok?

Maybe. Legal papers can be left on or under your door as long as the landlord/owner has first made two attempts to find you at home. Papers also must be mailed to you. This is called *conspicuous place delivery* or *nail and mail*.

I only got the papers by mail, is that ok?

No. Before copies of the papers are mailed to you by regular and certified mail, someone must go to your home and leave a copy of the papers:

- with someone who lives or works in your home, or
- on or under your door.

I didn't get any papers by mail, is that ok?

Maybe. If the papers were handed to you in person, a copy of the papers doesn't have to be mailed. If the papers were left for you, copies of the papers have to be mailed by regular and certified mail.

I got papers, but the other people named on the papers didn't, is that ok?

No. Every person named in the case must get his or her own set of papers. If the landlord/owner doesn't know someone's name, the person may be listed on the papers as "John" or "Jane Doe."

What do I do if I was not served the right way?

It is a defense if you were not served the right way. You must tell the Court Clerk or the Judge when you answer or you may not be able to say this later. The Judge may hold a hearing to decide if the papers were served the right way. You can ask the Clerk for a copy of the Affidavit of Service to see how the landlord/owner's server says the papers were given to you.

If you win the hearing, the case will be dismissed. But the landlord/owner may start the case over again by giving you a new set of legal papers.

What do I do if I get a certified mail pick-up slip from the Post Office?

If you get a notice from the Post Office that there is registered or certified mail for you, go pick it up. The court considers the papers served whether you picked them up or not, as long as the rest of the rules were followed.

How do I get ready for court?

Get all your court papers together. Gather any materials you have to prove your case. This may include witnesses or papers, such as:

- copy of the lease and lease renewals
- letters you wrote or received about the apartment,
- photos, mark each photo with the date it was taken and what is pictured,
- housing inspection reports,
- record of dates and conversations you had with the landlord/owner,
- records of all your apartment and building problems,
- bills and receipts for labor and materials,
- proof of your rent payments, such as rent receipts, DSS print-outs, canceled checks or copies of money orders.

Bring the original papers or certified copies to the court.

What can I do if a witness refuses to come to court or I can't get documents I need?

If a witness refuses to come to court or you are having trouble getting documents you need, you can *subpoena* them. Go to court and tell the Clerk you need a subpoena issued. A subpoena must be served at least 48 hours before the trial date.

What do I do when I go to court?

What time should I get to court?

Get to court early. Plan to arrive 45 minutes before your court time. You may have to go through a security line. Remember you may be in court for several hours.

Can I bring my children with me?

Yes, but it is better to find someone to watch them during your court appearance.

How should I dress for court?

Court is a formal place and you should dress respectfully. Do not wear t-shirts with curses, belly shirts, sunglasses, or torn clothing. You will be asked to take your hat off. You do not have to buy new clothing for court.

What if I don't speak English well?

In the District and City courts, tell the Clerk when you go to court that you need an interpreter. The Clerk will assign an "official" interpreter for free. In the Town and Village courts, you may have to bring someone with you who speaks English.

What happens on my first court date?

Go see the Clerk seated at the front of the courtroom and let him or her know you are there. Tell or give your Answer to the Clerk. Then take a seat and wait for the Clerk to call all the cases. This is called the *calendar call*. Listen for your name. The Judge may ask you and the landlord/owner or the landlord/owner's attorney some questions and may try to settle the case. If you do not settle and both sides are ready, the Judge may hold a trial. In some courts, the Judge will hold the trial right away. In other courts, the Judge will schedule the trial for another day.

Is the court going to give me a lawyer?

No. There is no right to a free lawyer in landlord-tenant cases.

Should I speak to the landlord/owner or the attorney by myself?

The landlord/owner or the landlord/owner's attorney may call out your name to talk to you alone. You can talk to the landlord/owner or the attorney to try to settle the case, but you do not have to. You can tell the attorney that you want to wait until the case is called.

What should I do if I need more time to get ready for my trial?

If you need time to get an attorney or have all your witnesses or documents ready, this is called an *adjournment*. This means you are asking to come back on a later date.

What can happen when the court calls my case?

That depends on why you are in the courtroom:

- Your case can be settled. See page 9 about settlements.
- If your case can't be settled, the case will be tried. See page 11 about trials.
- If you are there because you or the landlord/owner served papers asking the Judge to do something on your case by an *Order to Show Cause*, you will see the Judge. The Judge will listen to you and the landlord/owner and make a decision.

People who don't have a lawyer are called "*Pro Se*" or "Self-Represented" or "Unrepresented" litigants.

Can the landlord/owner and I agree to settle the case?

You and the landlord/owner can settle your case with or without the help of the court.

What should I do if the landlord/owner and I agree to settle the case before the court date?

If you and the landlord/owner make an agreement, you should:

- Put your agreement in writing.
- Both you and the landlord/owner must sign the agreement.
- Make a copy for the court and another for your records.
- Go to court to give the Clerk or Judge what you and the landlord/owner agreed to.

How do the landlord/owner and I settle the case in court?

If you want to try to settle the case, find the landlord/owner or the landlord/owner's attorney. If you and the landlord/owner make an agreement it is best to write it down in a *Stipulation of Settlement*. When settling the case:

- Only agree to what you think is fair.
- Be sure you can do what you promise by the dates you promise.
- Make sure the agreement takes care of all your defenses.
- Ask the Judge to explain any legal terms.
- Do not sign anything unless you have read and understand it. If something is not clear, you can ask the Judge questions.

What should the Stipulation say if the landlord/owner and I have agreed to a payment plan?

If the Stipulation sets up a payment schedule, it should clearly list the amounts and the dates the payments are due. Be sure you can make the payments by the dates you agree to pay.

What should the Stipulation say if I need repairs?

The stipulation should list the repairs that the landlord/owner agrees to fix. The stipulation should list the dates and times the landlord/owner will come to do the repairs and the dates that the repairs will be finished.

What should the Stipulation say if the landlord/owner agreed to reduce the rent I owe?

If the landlord/owner agrees to reduce or *waive* some of the rent you owe because of conditions you have lived with in the apartment, or because you have agreed to move, the Stipulation should say the amount of money waived and the time period covered.

What should the Stipulation say if I have agreed to correct any issues?

The stipulation should give you enough time to correct any issues which you have agreed to take care of. For example, if you have agreed to give up the apartment or the

landlord/owner has agreed to waive rent in exchange for giving up the apartment, the stipulation should give you enough time to find a place to move.

Will settling the case hurt my credit rating?

Maybe. Your credit rating will be affected if the Stipulation has a judgment for the landlord/owner and the credit reporting companies learn about the judgment. If the Stipulation has a payment agreement and it says that the judgment will be vacated after payment, you can have the judgment removed after you pay if the landlord/owner gives the court a *Satisfaction of Judgment*. Ask the landlord/owner to file this with the court when you pay.

Must the Stipulation have a judgment for the landlord/owner?

No. You can agree to settle the case without a judgment. If the Stipulation has a judgment, and you do not do what you promised to do, the landlord/owner can evict you without coming back to court. The landlord/owner may not agree to a settlement without a judgment. A judgment can be collected against you for 20 years, even if you moved out or were evicted.

What happens if I don't pay the amount owed in the judgment?

The owner can use the judgment to evict you. If you can't pay the amount owed in the judgment see page 15 on going back to court to ask the Judge to do something on your case.

What if the landlord/owner doesn't do what is supposed to be done in the Stipulation? What if I need more time to do what I am supposed to do?

If you **or** the landlord/owner do not do what you agreed to in the Stipulation of Settlement, or you need more time to do what you agreed, you can go back to court. This is called an *Order to Show Cause*. See page 15 on how to go back to court to ask the Judge to do something on your case.

Important! Unless the Judge or the Stipulation says something different, you still have to pay any rent you agreed to pay or were ordered to pay even if the landlord/owner doesn't do what he or she was supposed to do.

What if I don't want to settle the case?

If you don't want to settle the case you do not have to. Nobody can force you to settle the case. If the case is not settled there will be a trial.

Can the landlord/owner and I make an agreement that changes the Judge's decision?

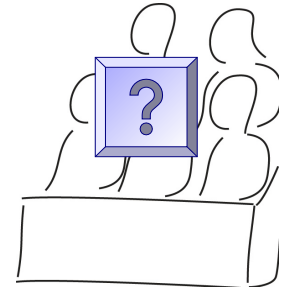
Yes, but put it in writing, keep a copy for your records and give a copy to the court.

What happens at a trial?

At a trial, the landlord/owner tries to prove his or her case and the tenant tries to prove his or her defenses or counterclaims. Both sides testify and show their proof to the Judge.

Who decides cases my case?

Cases are usually decided by Judges without a jury. You or the landlord/owner can ask for a jury trial if your lease allows it or you have no lease. Most leases do not allow jury trials. You must file a *jury demand* and pay the jury fee when you answer. In the District or City courts it costs \$70.00 if you ask for a jury trial. In the Town or Village it costs \$10.00.



You can ask the Judge to file a late jury demand, but the Judge may say no.

How do I act during the trial?

During the trial:

- be yourself and just say what happened,
- give complete answers about the question,
- don't argue with the landlord/owner or the landlord/owner's attorney or the Judge.

What happens during the trial?

The landlord/owner tries to prove his or her case first. This is called *testifying*. You will also have a turn to testify and ask each witness questions. The Judge may also ask questions. Everyone who testifies must swear to tell the truth.

You and the landlord/owner can *object* to questions, answers or documents.

How do I object?

You can *object* if you think there is a reason why the testimony or the document should not be allowed by the Judge, not just because you disagree with it. You can object if:

- the witness is only repeating what someone else told him or her (this is called *hearsay*),
- you think that the testimony or document has nothing to do with the case (this is called *irrelevant*),
- a document is not certified or an original document has been changed.

If you have an objection you must interrupt the trial and say, **objection**. The landlord/owner can also object. The Judge will decide whether to agree with the objection, *sustain*, or disagree with the objection, *overrule*, before going on with the trial.

What happens at the end of the trial?

When you and the landlord/owner are finished explaining your sides of the case, the Judge will make a decision. If the landlord/owner wins, he or she will get a *judgment* from the court for possession and for the amount of rent that is owed. If you win, the case will be dismissed. You may find out the Judge's decision right away or you may get it in the mail later on.

What happens if the Judge decides that I owe the landlord/owner rent?

The Judge will decide the amount you owe and that amount will be put in a judgment. The Judge will issue a warrant for your eviction. If you pay the judgment amount and court costs before the warrant is issued, the case is over and you will not be evicted.

What happens if I don't pay the amount owed in the judgment?

The owner can use the judgment to evict you. A judgment can be collected against you for 20 years, even if you moved out or were evicted.

If you can't pay the amount owed in the judgment see page 15 on going back to court to ask the Judge to do something on your case.

If the landlord/owner didn't make repairs or give me services, will the Judge lower the amount of money I owe?

Maybe. If the Judge finds at the trial that the repairs were very serious, and that living without them hurt you, the Judge may lower the amount you owe. This is called a *rent abatement*. The Judge can also order the landlord/owner to make repairs.

What if I think the Judge was wrong?

If you lose and think the Judge made a mistake, you can *appeal*. An appeal asks a higher court to decide if the Judge was wrong. You can only appeal a Judge's order or judgment. An appeal is expensive and must be made quickly.

What is an eviction?

In an eviction, a law enforcement officer, like a Marshal, Sheriff, or Constable, comes to your home, changes the locks, or removes your things, and makes you and your family leave.



What is a 72-Hour Notice of Eviction?

A 72-Hour Notice of Eviction is a paper given to you by a Marshal, Sheriff or Constable after the landlord/owner wins the court case. This can happen even if you missed your court date. The 72-Hour Notice of Eviction tells you that you will be evicted from your home in a few days.

Do I get more time to move if I own a mobile home and I rent space in a mobile home park from a mobile home park owner or operator?

Yes. The Marshall, Sheriff or Constable must give a tenant who owns his or her mobile home a 30 day Notice of Eviction in a nonpayment case.

If I got a 72-Hour Notice of Eviction when will I be forced to leave?

Very soon. Call the number on the 72-Hour Notice of Eviction and ask if the eviction has been scheduled and when it is going to happen. Immediately go to court to ask the Judge to stop the eviction.

Can the landlord/owner change my locks and evict me?

If you have lived in your home for more than 30 days, only a Marshal, Sheriff or Constable can evict you **and** only after the landlord/owner has taken you to court and won a judgment against you.

How can I stop an eviction?

You will need to fill out an *Order to Show Cause* and bring it to the courthouse immediately. If a Judge signs the Order to Show Cause with a *stay* of the eviction, this will stop the eviction after you deliver the Order to Show Cause to the landlord/owner, at least until you can come back to court and tell a Judge what happened. See page 15 on how to go back to court to ask the Judge to do something on your case.

A Notice of Eviction is different from the Notice of Petition and Petition, the papers that start a court case against you.

Important! It may be hard to stop the eviction if the landlord/owner has a judgment against you after trial or you did not keep the promises you made in a Stipulation of Settlement.

If I pay the landlord/owner all the money after I get a Notice of Eviction can I stay?

After you get a Notice of Eviction, you can still be evicted even if you pay all the money. You will not be evicted if the landlord/owner tells the court to vacate the judgment against you because you paid and the case has been settled. Get this in writing from the landlord/owner and file it with the court.

What do I do if I need to go back to court to ask the Judge to do something on the case?

An *Order to Show Cause* is a way to ask the Judge to do something on the case. It can be used:

- to ask the court to stop an eviction,
- to make a landlord/owner do what he or she was ordered to do or agreed to do,
- to ask for more time to do what you were ordered to do or agreed to do,
- to bring your case back before the Judge for any other reason,
- to explain why you missed your court date or didn't Answer.



How do I make an Order To Show Cause?

You need to fill out a written *Affidavit* form and an *Order to Show Cause* form to give to the court. An *Affidavit* is your sworn statement that tells the Judge what you need. An *Order to Show Cause* (OSC) is given to the Judge to sign with the *Affidavit* and says when everyone should come to court. You may have to wait for some time for the Judge to review the papers.

Important! Tell the Clerk if you know that your eviction is already scheduled.

What do I write in the Affidavit if I missed my court date and the landlord/owner got a judgment on default?

If the landlord/owner has a judgment against you because you missed your court date you can use the court's free and easy DIY (Do-It-Yourself) Form program to make your *Affidavit* and OSC: <http://nycourthelp.gov/diy/tenantVacateDefault.html>. It will help you fill in the two things you need to prove in the *Affidavit*.

If you are being evicted because you did not come to court when you were supposed to, you must show two things in the *Affidavit*:

1. A good reason for not going to court when you were supposed to, for example, "I never received the court papers" or "I was sick," **and**,
2. A good defense against the landlord/owner's claim in the petition, such as "I paid some of the rent," or "I need repairs."

What do I write in the Affidavit if I got evicted and I never came to court?

If you never came to court and you were evicted already in addition to a good reason and good defense, you have to show the Judge *good cause* for putting you back in your home. This depends on the facts of your case. The Judge will want to know things

like, how much money you owe, if your home was re-rented to someone else, how long ago were you evicted, how long did you live there, or if you have any disabilities.

What do I write in the Affidavit if I need to ask for more time to pay what I was ordered or agreed to?

If you need to ask for more time to pay what you promised in the settlement agreement or were ordered to pay by the Judge, you must give the court a good reason. For example, "DSS didn't send me the check yet." The Judge **may not** be able to give you more time.

Come to court to make an OSC as soon as you know that you will not be able to do what you are supposed to do. You should not wait until the date passes.

What do I write in the Affidavit if the landlord/owner didn't do what he or she was supposed to do?

If the landlord/owner did not do what he or she promised to do in a Stipulation of Settlement or was ordered to do by the Judge, your Affidavit must explain what happened. For example, "The landlord didn't make repairs to the kitchen."

When is the Court open?

Most District and City courts are open Monday to Friday from 9:00 am to 5:00 pm. Town and Village courts are only open a few hours each week. Some courts are closed between the hours of 1:00 pm to 2:00 pm. You must call the court before you go.

What happens if the Judge signs the OSC?

If the Judge signs the OSC you will have to *serve* the papers on the landlord/owner and maybe the Marshal, Sheriff or Constable. The OSC will say how you must deliver the papers. After you serve the papers you have to fill out an *Affidavit of Service* and sign it in front of a notary. An Affidavit of Service is a sworn statement that says how the court papers were delivered. You don't need to fill out an Affidavit of Service if the person you serve signs and dates a copy of the OSC *acknowledging* that he or she received the papers.

You will have to come back to court on the date on the OSC to see the Judge. Bring your proof and the Affidavit of Service or the acknowledgment with you when you go back to court. The Judge will listen to you and the landlord/owner and make a decision.

Can I make more than one OSC?

Yes. But you have to tell the Judge that you made an OSC before, why you made it, and what happened.

Where can I go for help and information?

Where can I find a lawyer?

The New York State Bar Association has a Lawyer Referral Service: 1-800 342-3661: This service gives you a contact information for a lawyer who will charge a \$35.00 consultation fee for the first half-hour. If you hire the lawyer after this consultation, you and the lawyer will work out the cost.

LawHelp also has phone numbers for free legal services offices all over New York: www.lawhelp.org/ny.

Where do I get landlord-tenant information about the court on the internet?

The Unified Court System has a website called CourtHelp with more information: www.nycourthelp.gov.

The City, Town and Village Courts have a website at: <http://www.courts.state.ny.us/courts/townandvillage/index.shtml>.

Can I call the Court?

Yes. City Court phone numbers are listed at: <http://www.courts.state.ny.us/courts/trial-citycourts.shtml>

For Suffolk County District Courts, call: (631) 853-7500.
For Nassau County District Court, call: (516) 572-2355

How can I get more information on my rights as a tenant?

The New York State Attorney General publishes a tenants' rights guide at: http://www.oag.state.ny.us/bureaus/real_estate_finance/pdfs/tenants_rights_guide.pdf

LawHelp also has a large amount of legal information: English: www.lawhelp.org/ny, Spanish: www.ayudaLegalNY.org.

Where can I go to get financial help?

- To apply for temporary assistance: 1-800-342-3009, or go to your local office of the Department of Social Services ("DSS"). Locations can be found at: <http://otda.ny.gov/workingfamilies/dss.asp>.
- For other assistance: Call 2-1-1 for help with food, housing, employment, health care, counseling and more, or visit: <http://www.211.org/>.

Where can I find help to organize the tenants in my building?

New York State Tenants and Neighbors Information Service: (212) 608-4320.

Where do I go if the landlord/owner is discriminating against me?

If the landlord/owner is discriminating against you due to your age, race, gender, sexual orientation or any other grounds, call the New York State Division of Human Rights at (718) 741-8400.

Where can I find information about rent control or rent stabilization?

Call the New York State Division of Housing and Community Renewal at (718) 739-6400.

Where can I get help solving my problem without going to court?

You can find the location of a community dispute resolution center near you in the phonebook or at: <http://www.nycourts.gov/ip/adr/ProgramList.shtml>.

Where can I find information if I am in the military or dependent on someone in the military?

You can find help on the Stateside Legal website at: <http://statesidelegal.org/>. The website offers information about the protections for military personnel under the Servicemembers Civil Relief Act (SCRA), as well as free programs that will help you make your landlord-tenant forms.

How do I make a complaint about the way an attorney, Judge or court employee acted?

If you were not treated fairly and with respect, you can file a complaint. You can find out the right place to contact on the court system's website at: <http://www.nycourts.gov/howdoi/fileacomplaint.shtml>.



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