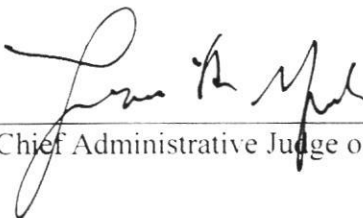


ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, I hereby order and direct that petitions in eviction proceedings involving property pursuant to Article 7 of the Real Property Actions and Proceedings Law (RPAPL) and in foreclosure proceedings shall no longer require an accompanying attorney affirmation or petitioner's affidavit, as previously required pursuant to Administrative Orders AO/127/20 and AO/131/20. AO/127/20 and AO/131/20 are modified to this extent only, and shall otherwise continue in full force and effect, including but not limited to the continued requirement of service of a Notice to Respondent Tenant or Notice to Respondent as described in those orders.

This order shall take effect immediately, and shall remain in effect until further order.

  
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Chief Administrative Judge of the Courts

Dated: July 7, 2020

AO/143/20

## LAWS OF NEW YORK, 2020

## CHAPTER 127

AN ACT in relation to prohibiting the eviction of residential tenants who have suffered financial hardship during the COVID-19 covered period

Became a law June 30, 2020, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. For the purposes of this act, "COVID-19 covered period" means March 7, 2020 until the date on which none of the provisions that closed or otherwise restricted public or private businesses or places of public accommodation, or required postponement or cancellation of all non-essential gatherings of individuals of any size for any reason in Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13 or 202.14, as extended by Executive Orders 202.28 and 202.31 and as further extended by any future Executive Order, issued in response to the COVID-19 pandemic continue to apply in the county of the tenant's or lawful occupant's residence.

§ 2. Notwithstanding any provision of law to the contrary:

1. No court shall issue a warrant of eviction or judgment of possession against a residential tenant or other lawful occupant that has suffered a financial hardship during the COVID-19 covered period for the non-payment of rent that accrues or becomes due during the COVID-19 covered period.

2. (a) A tenant or lawful occupant may raise financial hardship during the COVID-19 covered period as a defense in a summary proceeding under article 7 of the real property actions and proceedings law.

(b) In determining whether a tenant or lawful occupant suffered a financial hardship during the COVID-19 covered period, the court shall consider, among other relevant factors:

(i) the tenant's or lawful occupant's income prior to the COVID-19 covered period;

(ii) the tenant's or lawful occupant's income during the COVID-19 covered period;

(iii) the tenant's or lawful occupant's liquid assets; and

(iv) the tenant's or lawful occupant's eligibility for and receipt of cash assistance, supplemental nutrition assistance program, supplemental security income, the New York State disability program, the home energy assistance program, or unemployment insurance or benefits under state or federal law.

3. This act shall not prohibit any court from awarding a judgment for the rent due and owing to a successful petitioner in a summary proceeding under article 7 of the real property actions and proceedings law.

§ 3. This act shall take effect immediately.

EXPLANATION--Matter in italics is new; matter in brackets [ ] is old law to be omitted.

CHAP. 127

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The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS

Temporary President of the Senate

CARL E. HEASTIE

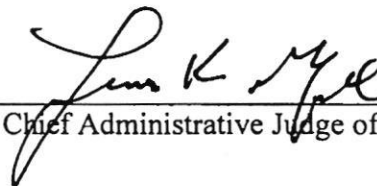
Speaker of the Assembly

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, I hereby order and direct that, effective June 24, 2020, commencement papers in foreclosure proceedings involving residential or commercial property shall require the inclusion of (1) an attorney affirmation in the form attached as Exh. 1 and (2) a Notice to Respondent, in English and Spanish, in the form attached as Exhs. 2 and 3.

Consistent with prior and current gubernatorial Executive Orders (EO/202.8, EO/202.14, EO/202.28, EO/202.38) and Administrative Order AO/68/20, foreclosure matters commenced on or before March 16, 2020 shall continue to be suspended until further order; foreclosure proceedings filed after March 16, 2020 shall, upon the filing of a complaint (if no answer is filed thereafter) or the filing of an answer, be suspended until further order; initial mandatory settlement conferences in residential foreclosures pursuant to CPLR 3408 shall not be scheduled; and foreclosure auctions shall continue to be suspended until further order. Notwithstanding the foregoing, foreclosure matters in which all parties are represented by counsel shall be eligible for calendaring for both initial and follow-up virtual settlement conferences; lenders may move for a judgment of foreclosure and sale on the ground that a property is vacant and abandoned; and lenders may move to discontinue a pending case.

This order shall take effect on June 24, 2020, and shall remain in effect for such time as state and federal emergency measures addressing the COVID-19 pandemic amend or suspend statutory provisions governing foreclosure proceedings, or until further order.

  
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Chief Administrative Judge of the Courts

Dated: June 23, 2020

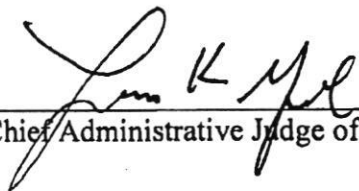
AO/131/20

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, I hereby order and direct that, effective June 20, 2020, petitions in eviction proceedings involving residential or commercial property pursuant to Article 7 of the Real Property Actions and Proceedings Law (RPAPL), whether brought on the ground that the respondent has defaulted in the payment of rent or on some other ground, shall require the inclusion of (1)(a) an attorney affirmation in the form attached as Exh. 1a, in cases where the petitioner is represented by counsel, or (1)(b) a petitioner's affidavit in the form attached as Exh. 1b, in cases where the petitioner is self-represented; and (2) a Notice to Respondent Tenant in the form attached as Exh. 2a (if filing within the City of New York) or Exh. 2b (if filing outside the City of New York).

Consistent with prior and current gubernatorial Executive Orders (EO/202.8, EO/202.14, EO/202.28, EO/202.38) and Administrative Order AO/68/20, RPAPL eviction matters commenced on or before March 16, 2020 shall continue to be suspended until further order; eviction proceedings filed after March 16, 2020 shall, upon the filing of a petition (if no answer is filed thereafter) or the filing of an answer, be suspended until further order. Notwithstanding the foregoing, eviction matters in which all parties are represented by counsel shall be eligible for calendaring for virtual settlement conferences.

This order shall take effect on June 20, 2020, and shall remain in effect for such time as state and federal emergency measures addressing the COVID-19 pandemic amend or suspend statutory provisions governing eviction proceedings, or until further order.

  
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Chief Administrative Judge of the Courts


Dated: June 18, 2020

AO/127/20

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, at the direction of the Chief Judge, and consistent with the Governor's determination approving the easing of restrictions on commerce imposed due to the COVID-19 health emergency, I hereby direct that, effective June 10, 2020:

1. In courts and case types approved for electronic filing through the New York State Courts Electronic Filing System (NYSCEF), represented parties must commence new matters or proceed in pending matters exclusively by electronic filing through NYSCEF, and must file and serve papers in such matters (other than service of commencement documents) by electronic means through NYSCEF or, where permitted under NYSCEF court rules, by mail. Unrepresented parties must file, serve and be served in such matters by non-electronic means unless they expressly opt in to participate in NYSCEF.
2. To the extent that NYSCEF electronic filing is unavailable in courts or case types in the trial courts, represented parties must commence new matters exclusively by mail, except where otherwise authorized by the Chief Administrative Judge. Following commencement of a new matter, and in pending matters, represented parties must file papers through the Unified Court System's Electronic Document Delivery System (EDDS) or by mail, and must serve papers (other than commencement documents) by electronic means or by mail. Unrepresented parties must file, serve and be served in such matters by non-electronic means unless they provide written notification to the court and all parties that they wish to file, serve and be served electronically.
3. This order shall not affect procedures for the filing and service of papers in essential matters.
4. The court shall not request working copies of documents in paper format.

  
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Chief Administrative Judge of the Courts

Dated: June 9, 2020

AO/121/20

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and at the direction of the Chief Judge, I hereby promulgate the following procedures and protocols, effective as set forth below, to mitigate the effects of the COVID-19 outbreak upon the users, visitors, staff, and judicial officers of the Unified Court System:

- Effective 5 p.m. on Monday, March 16, all non-essential functions of the courts will be postponed until further notice. All essential court functions will continue, as described below.
- Jury Proceedings and Jury Trials: Effective March 16, civil jury trials in which opening statements have not commenced shall be postponed until further notice. Civil jury trials already commenced shall continue to conclusion. Criminal jury trials shall continue where jeopardy has attached; no new criminal jury trials shall be commenced. The jury selection process in civil and criminal trial matters shall be suspended until further notice. Existing grand juries will continue, upon consultation of the appropriate district attorney and empaneling judge. No new grand juries shall be empaneled absent exceptional circumstances.
- Motion practice: Effective March 16, unless otherwise directed by the court in exceptional circumstances, all motions in civil matters shall be taken on submission. When permitted, argument should be conducted by Skype or other remote means whenever possible.
- Special Parts: Effective March 17, outside of New York City, special court parts will be established in individual jurisdictions (at the courthouses listed in Attachment A) where essential matters will be consolidated; inside New York City, courthouses will remain open to handle essential matters as follows:

Supreme Court:	Essential applications as the court may allow, e.g., Mental Hygiene Law applications, civil commitments, and guardianships.
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Civil matters in courts  
other than Supreme  
Court:

Essential applications as the court may allow.

Housing matters:

Essential applications as the court may allow, e.g., landlord lockouts, serious housing code violations, and repair orders.

All eviction proceedings and pending eviction orders shall be suspended statewide, and court-ordered auctions of property shall be postponed, until further notice.

All residential foreclosure proceedings shall be suspended statewide until further notice.

I confirm that, effective March 13, 2020, residential evictions in New York City have been stayed, and the New York City Housing Court has been directed not to issue new eviction warrants when a party has not appeared in court.

Criminal (superior court) matters:

Essential applications as the court may allow.

Felony matters wherein the defendant is not in custody shall be administratively adjourned until further notice. Felony matters in which defendants are in custody will either be administratively adjourned or be conducted remotely by video in New York City and in jurisdictions outside of New York City that have technology available to do so.

Criminal (lower court):

Arraignments, and essential applications as the court may allow, e.g., applications for orders of protection.

Arraignments shall be conducted through video remote appearances in New York City and to the fullest extent possible elsewhere in the State.

In New York City, the Red Hook Community Court and the Midtown Community Court are designated as arraignment sites where persons believed to be at medical risk related to the coronavirus will appear remotely by video.

Effective Monday, March 16, misdemeanors and lesser offenses wherein the defendant is not in custody shall be administratively adjourned until further notice.

Misdemeanors and lesser offenses in which defendants are



in custody will either be administratively adjourned or be conducted remotely by video in New York City and in jurisdictions outside of New York City that have technology available to do so.

Family Court: Essential matters as the court may allow, e.g., issues related to child protection proceedings, juvenile delinquency proceedings, family offenses, and support orders.

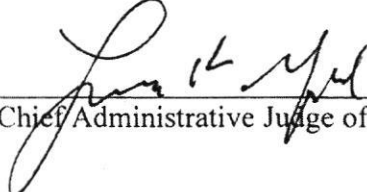
Surrogate's Court: Essential applications as the court may allow.

Court of Claims: Essential applications as the court may allow.

Activities in all other court parts shall be deferred to a later date to the fullest extent possible until further notice, unless expressly permitted by the appropriate administrative judge.

In addressing essential applications, judges will exercise judicial discretion in a manner designed to minimize court appearance and traffic in the courts.

- Court Access, Cleaning, and Reporting Protocols: The court access, cleaning, and reporting protocols set forth in the memo of the Chief Administrative Judge dated March 13, 2020 shall continue until further order.

  
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Chief Administrative Judge of the Courts

Dated: March 16, 2020

AO/68/20