

RESPONDING TO AN EVICTION PROCEEDING DURING THE COVID-19 PANDEMIC

By State law, eviction proceedings in New York State can have a fast schedule, with short periods of time to file an answer. The petition in your particular case will tell you more about that timeline, and the usual time to answer. However, during the coronavirus emergency, State and federal has been temporarily changed in a way that might give you additional days or weeks to file your answer. The best way to find out whether those changes affect your proceeding is to contact a lawyer. The information below is designed to help you find a lawyer – or, if you are unrepresented, to help you inform yourself about your legal rights and the resources that the Court System provides to help you in the case.

Information on Finding an Attorney

For information about whether you qualify for a free lawyer and help finding an attorney, please click our finding a lawyer page.

<https://www.nycourts.gov/CourtHelp/GoingToCourt/findlawyer.shtml>

For general information about eviction proceedings, as well as help in finding a lawyer around the State, please click LawHelpNY.

<https://www.lawhelpny.org/issues/housing/eviction>

Information on Access to Justice

For general information about the Court System’s Access to Justice Programs, please click Access.

<http://ww2.nycourts.gov/ip/nya2i/index.shtml>

For help in using the Court System’s “do it yourself” forms, please click DIY.

<http://ww2.nycourts.gov/ip/nya2i/diyavailable.shtml>

Information about the Courts

For general information about the Court System, please click our CourtHelp page.

<https://www.nycourts.gov/CourtHelp/index.shtml>

For information about how to contact courts in your area, click our CourtLocator page.

<https://www.nycourts.gov/courts/>

COVID-19 Related Information

For information about, and copies of, administrative orders of the Chief Administrative Judge during the COVID-19 pandemic, press our CAJ-AO page.
<https://www.nycourts.gov/latest-AO.shtml>

For copies of Governor Cuomo's Executive Orders relating to the coronavirus pandemic, press the GovsEO page (Executive Orders EO202 through EO202.42).
<https://www.governor.ny.gov/executiveorders>

For general information about COVID-19 and the federal government, click the USA page.
<https://www.usa.gov/coronavirus>

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Selected Governor's Executive Orders Relating to COVID-19 and Eviction Proceedings

EO202.28: Declaring that “[t]here shall be no initiation of a proceeding or enforcement of either an eviction of any residential or commercial tenant, for nonpayment of rent or a foreclosure of any residential or commercial mortgage, for nonpayment of such mortgage, owned or rented by someone that is eligible for unemployment insurance or benefits under state or federal law or otherwise facing financial hardship due to the COVID-19 pandemic for a period of sixty days beginning on June 20, 2020.”

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO202.28.pdf>

EO202.8: Declaring that, “[i]n accordance with the directive of the Chief Judge of the State to limit court operations to essential matters during the pendency of the COVID-19 health crisis, any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate's court procedure act, and the uniform court acts, or by any other statute, local law, ordinance, order, rule, or regulation, or part thereof, is hereby tolled from the date of this executive order until April 19, 2020...”

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.8.pdf

EO202.14: Continuing “the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202 and each successor Executive Order to 202, for thirty days until May 7, 2020, except as limited below...”.

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.14_final.pdf

EO202.28: Continuing “the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202 and each successor Executive Order up to and including Executive Order 202.14, for thirty days until June 6, 2020, except as modified below...”.

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO202.28.pdf>

EO202.38: Continuing the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202 and each successor Executive Order up to and including Executive Order 202.14, as continued as contained in Executive Order 202.27 and 202.28 until July 6, 2020...”.

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO-202.38-final.pdf>