

CIVIL COURT OF THE CITY OF NEW YORK

DIRECTIVES AND PROCEDURES

Subject: Management of Motions for Default Judgments
Residential and Commercial Eviction Matters in the
New York City Civil Court

Class: DRP-222

Category: LT-10
LT-20
LT-30

Eff. Date: January 16, 2022

BACKGROUND:

At its height, the Coronavirus pandemic caused a near-total cessation of operations in the New York City Civil Court. Despite the challenges of the pandemic, the New York City Civil Court has been working diligently to adjudicate eviction proceedings filed before March 17, 2020 as well as eviction proceeds filed after this date. As The COVID-19 Emergency Eviction and Foreclosure Prevention Act (“CEEPPA” or the “Act”) expires, the Court institutes the following requirements concerning default judgments to ensure effective management of caseloads in a manner consistent with current health and safety needs in our courthouses.

DIRECTIVE:

- I. Motion: No judgment or warrant will be issued on default without a motion by petitioner for such relief.
 - A. In the Housing Part, motions for default judgments must be made returnable in the HMP Part unless the case has already been assigned to a Resolution Part and all respondents are represented by counsel. If respondent fails to appear in the HMP Part after notice from the court, the motion will be assigned to a Resolution Part for determination. If the respondent appears, counsel will be assigned and the case will be transferred to the Resolution Part for all purposes.
 - B. In the Commercial Landlord Tenant Part, motions shall be made returnable to Part 52.
- II. Warrant Section: If the motion is granted, a Marshal’s Requisition for a default warrant may be submitted to the Warrant Section. The Requisition must be supported by an affidavit of a nonmilitary investigation. No nonmilitary affidavit or testimony about military status need be submitted earlier in the motion process, since such affidavits and evidence are good for only 30 days (See LSM 152A and LSM 152B). After review, the Warrant Section shall refer the case to the judge who decided the motion for review and signature.

Date: January 16, 2022

_____/s/_____
Hon. Carolyn Walker-Diallo
Administrative Judge