



# Tenant Answer and Counterclaim for Holdover Eviction

\_\_\_\_\_ Court

County of \_\_\_\_\_

Landlord/Petitioner (person/entity that started the case):

Tenants/Respondents (persons whom the case is against):

Index Number:

I am the tenant of the premises located at the following address:

**Check all that apply:**

**ANSWER**

General Denial. The claims in the petition are not correct.

**SERVICE**

I did not get both the notice of petition and petition.

I got the notice of petition and petition, but the papers were not delivered the way the law requires.

I did not get a notice of termination required by law before the landlord started the case.

**PARTIES**

My name is wrong in this case.

My name is not on the notice of petition and petition.

Petitioner is not the landlord or owner of the building.

The tenant listed is dead.

**APARTMENT/HOUSE**

I fixed the problem the petitioner is complaining about.

The conditions or behavior the petitioner is complaining about are exaggerated.

The conditions or behavior the petitioner is complaining about are not true.

There are or were conditions in the premises that need to be repaired and/or services that need to be restored: (describe conditions and/or services)

My home is not listed correctly on the court papers (check all that apply):

wrong apartment/house number

wrong or missing information about rent regulation or laws that cover me

**OTHER**

Petitioner accepted rent from me after the notice of termination date.

Petitioner accepted payment of back rent through the Emergency Rental Assistance Program (ERAP) on \_\_\_\_\_ and one year has not passed.

Petitioner started this case to retaliate against me for actions I took in the past year.

Petitioner has harassed me (please explain):

\_\_\_\_\_

I serve in the military, or I am dependent on someone in the military.

Other defense/answer (please explain):

\_\_\_\_\_

**COUNTERCLAIMS**

I request a judgment against the petitioner because:

Petitioner owes me \$\_\_\_\_\_ for repairs or services I paid for.

Petitioner owes me \$\_\_\_\_\_ for rent overcharges.

Petitioner owes me a rent reduction or refund for failing to provide services.

Petitioner should be fined for harassing me

**NOTE:** Only tenants in New York City – Bronx, Kings (Brooklyn), New York (Manhattan), Queens, or Richmond (Staten Island) – can make this claim.

**VERIFICATION**

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, states the following:

1. I am the tenant in this case.
2. I have read this form, and I know what it says.
3. The information above is true, accurate, and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Tenant/Respondent Signature

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public