



# Eviction Petition – Holdover (Recover Possession of Real Property)

\_\_\_\_\_ Court

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

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

Tenant/Respondent (person whom the case is against):

Index Number:

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

The tenants listed below are currently in possession of the premises [*list the names of every tenant, under-tenant, assignee, and person in possession of the premises*]:

- |          |           |
|----------|-----------|
| 1. _____ | 7. _____  |
| 2. _____ | 8. _____  |
| 3. _____ | 9. _____  |
| 4. _____ | 10. _____ |
| 5. _____ | 11. _____ |
| 6. _____ | 12. _____ |

The tenants agreed to pay \$\_\_\_\_\_ rent per month due on the \_\_\_\_\_ day of each month.

The tenant's lease or verbal/written rental agreement ended on \_\_\_\_\_.

The tenants were served with a written demand to vacate the premises instructing them to move out within [*check one*]:

30 days (tenant has occupied the unit for less than one year and does not have a lease term of at least one year)

60 days (tenant has occupied the unit for more than one year but less than two years and has a lease term of at least one year but less than two years)

90 days (tenant has occupied the unit for more than two years or has a lease term of at least two years)

A copy of the form and proof (affidavit or affirmation) of service are attached.

The tenants continue to occupy the premises without permission after the lease or verbal/written rental agreement ended.

I request a final judgment:

- returning possession of the premises to the landlord
- issuing a warrant of eviction to remove the tenants from the premises
- issuing a judgment against the tenants for rent owed after the lease or verbal/written rental agreement ended in the amount of \$\_\_\_\_\_
- issuing a judgment against the tenants for court costs



**VERIFICATION**

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

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

1. I am the petitioner in this case.
2. I have read this Petition to Recover Possession of Real Property – Holdover, and I know what it says.
3. The information above is true, accurate, and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Petitioner Signature

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

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

## Resources for Landlords and Renters

### Written Translation of this Form

[nycourts.gov/forms/landlordtenant/](https://nycourts.gov/forms/landlordtenant/)

Spanish | español

ASL | 



### Free Interpreters

Spoken & Sign Language

1-800-COURT-NY (1-800-268-7869)

[nycourts.gov/courtinterpreter](https://nycourts.gov/courtinterpreter)

[courtinterpreter@nycourts.gov](mailto:courtinterpreter@nycourts.gov)



### Find a Lawyer, Legal Help & Information

- [nycourts.gov/courthelp/Homes/evictions.shtml](https://nycourts.gov/courthelp/Homes/evictions.shtml)
- [lawhelpny.org](https://lawhelpny.org)
- [tenanthelpny.org](https://tenanthelpny.org)
- NYS Bar Association Lawyer Referral Service (low cost), [findalawyer.nys.org](https://findalawyer.nys.org)



### ADA Accommodations

1-800-COURT-NY (1-800-268-7869)

[nycourts.gov/accessibility](https://nycourts.gov/accessibility)

[ada@nycourts.gov](mailto:ada@nycourts.gov)

### Financial Help from 2-1-1

- Call 211
- Go to [www.211.org](https://www.211.org)
- Get 211 help at some courthouses

