



Information on Answering:

What to do if your landlord says you owe rent and you have a court date

If you have received a *Notice of Court Date: Rent Not Paid and Petition*, you can use this information sheet to tell the court the reasons why you should not be evicted. This is known as an *Answer*.

You **must** answer the court papers. Take this form with you when you go to court, so you can tell the court clerk or judge about every item you check below.

Read below. Check **all** boxes that apply to you:

1. General Denial

- I do not know if the information in the landlord's Petition is correct.

2. Notices and Service

- I did not receive a *Notice* by certified mail that my rent was 5 days overdue.
- I did not receive a written Demand for Rent.
- The Demand for Rent did not list the months and amounts of rent owed.
- The Demand for Rent did not give me at least 14 days' notice to pay the rent owed.
- The Demand for Rent was not served correctly because [check all that apply]:
- the landlord handed it to me.
 - the landlord gave it to someone who does not live or work at my home.
 - the landlord left it at my home but did NOT mail it to me.
 - I only received it by mail.
- The Notice of Court Date: Rent Not Paid and Petition were not served correctly because [check all that apply]:
- I did not receive them.
 - the landlord handed them to me.
 - the landlord gave them to someone who does not live or work at my home.
 - the landlord left them at my home but did NOT mail it to me.
 - I only received them by mail.

3. People in this case (Parties) [check all that apply]:

- My name on the court papers is **wrong**. Explain: _____.
- My name is not on the court papers, but I live at the address listed on the court papers.
- The tenant listed on the court papers is **dead**.
- The landlord listed on the court papers is **not** the landlord or owner of my home.

4. Rent [check all that apply]:

- I paid the landlord **all** of the rent. Amount: \$__
- I paid the landlord **some** of the rent. Amount: \$_____
- I tried to pay rent (or someone tried to pay for me) but the landlord would not take it.
- The landlord asked for: more rent than we agreed to or additional fees, late charges, and/or penalties that are not part of the rent.



5. COVID Issues [check all that apply]:

- My application for emergency rental assistance is still being processed. My case must be postponed.
- An emergency rental assistance program agreed to send my landlord money for my rent.
- I had money troubles because of COVID. The landlord can sue me for rent but **cannot** evict me.

6. For Renters in Subsidized Housing [check all that apply]:

- My rent is subsidized but the landlord did not say that in the court papers.
- My landlord is charging me more rent than the housing agency has approved.
- My landlord is asking me to pay the part of the rent that the housing agency pays.
- My housing subsidy is not being paid to the landlord because of problems in my apartment.
- My landlord did not notify or ask the housing agency for approval before starting this case.

7. Rental Property Problems:

Check all problems at the rental property that need to be fixed [attach more sheets of paper, if needed].

<input type="checkbox"/>	Heating/lighting, electricity	<input type="checkbox"/>	Hot water, running water, plumbing	<input type="checkbox"/>	Lead paint	<input type="checkbox"/>	Mold
<input type="checkbox"/>	Doors, windows, floors, stairs, railings	<input type="checkbox"/>	Bugs, rats, pests	<input type="checkbox"/>	Garbage storage	<input type="checkbox"/>	Appliances
<input type="checkbox"/>	Other code violations/safety problems [describe]:						
<input type="checkbox"/>	No Certificate of Occupancy (C of O)						
<input type="checkbox"/>	The court papers list the wrong address.						
<input type="checkbox"/>	The court papers do not list a law that covers my home.						

8. Other Reasons [check all that apply]:

- I am active-duty military or a dependent of active-duty military.
- The landlord waited too long to file this case.
- My landlord is harassing me. [describe]: _____
- I have other reasons. [describe]: _____

9. Counterclaims (The landlord should pay *me*) [check all that apply]:

- The landlord owes me money because:
 - I paid \$_____ for needed repairs or services.
 - I paid \$_____ more in rent than the landlord was legally allowed to charge me.
 - Other reason. Explain and list amount:\$_____
 - The landlord should lower my rent because they did not provide the needed repairs or services that I asked for.



Information about the eviction process,
<https://nycourts.gov/courthelp/Homes/evictions.shtml>