

CIVIL COURT OF THE CITY OF NEW YORK

ADVISORY NOTICE

Subject: Housing Stability &
Tenant Protection Act

Class: AN-20
Category: LT-10
Eff. Date: Immediately

BACKGROUND:

On June 14, 2019 the Housing Stability and Tenant Protection (HSTP) Act of 2019 was enacted. The HSTP is directed to take effect immediately and applies to summary proceedings commenced on or after **June 14, 2019**.

The HSTP directs that every warrant must state “the earliest date upon which execution may occur pursuant to the order of the court” and must “command the officer to remove all persons named in the proceeding...”

In order to ensure compliance with this legislation, clerks will now insert language on decision and orders and/or judgments with a space for the Judge to set the earliest execution date.

ADVISORY:

Where there is a request for a judgment based on a respondent’s failure to answer, when deciding the EED, please consider any stay direction. The stay should not include the 14-day notice required by the Marshal.

Where there is a judgment rendered after trial, stipulation inquest or hearing decision, when deciding the EED, please consider:

- Any stay on issuance of the warrant
- Any payment schedule agreed to per stipulation
- Where there is a payment schedule, the EED should be based on the last date of payment
- Where there is a payment schedule, and the EED is based on the last date of payment any party seeking to accelerate the EED be expedited must seek leave of the court.

The clerk will review the decision/order form, stipulation forms and/or file jacket for direction regarding the EED.

Date: August 22, 2019



Hon. Anthony Cannataro
Administrative Judge
Civil Court of the City of New York