

Legal Alert: Information Needed to Move Pro Se Cases Forward & Applications for Warrants on New Filings Are Being Accepted

December 18, 2020

Pre-pandemic cases in the Five Boroughs:

In preparation for moving forward on pre-pandemic cases (those cases commenced prior to March 17, 2020) where the tenant(s) is not represented by counsel, the Court has asked that we provide all contact information (i.e., telephone numbers and email addresses) for each tenant named in the proceeding. Although we have not yet been advised when these cases will begin to be heard, we anticipate this will be the next phase.

All cases in Nassau, Suffolk and Westchester Counties:

In anticipation of the Courts in Nassau, Suffolk and Westchester Counties transitioning to virtual appearances, the Courts will need contact information (ie. telephone numbers and email addresses) for each named tenant, or all pending cases regardless of the date of commencement. Moving forward, that information should be given to us upon commencement of any cases.

Default Warrants:

In cases where tenants have failed to appear and/or file an Answer in a non-payment proceeding commenced after November 3, 2020 and their time to do so has expired and rents sued for in that proceeding remain outstanding, we can apply for the issuance of a warrant of eviction, without first seeking permission from the Court. Be advised, the Court has limited personnel and, therefore, we have no idea how long it will take for these applications to be processed nor do we know when evictions will take place. If you wish to order a warrant on any of those cases, please email our warrant department.

For those cases commenced between March 17, 2020 and November 3, 2020, we *cannot* apply for the issuance of a warrant based upon the tenant's failure to answer until after January 3, 2021 as a result of an Executive Order issued in November, 2020 extending a tenant's time to Answer in those cases.

If you have any questions or issues you wish to discuss, feel free to contact any of our attorneys.

Wishing you a happy, healthy and safe holiday season.