

**Legal Alert: Commercial Eviction Moratorium Extended to September 4, 2020**

**August 7, 2020**

On August 5, 2020, Governor Cuomo issued Executive Order No. 202.55, which extended the state-wide **commercial** eviction moratorium through September 4, 2020. This means that we are not able to order, process or execute on any warrants of eviction for commercial matters throughout the entire state through September 4, 2020. Please keep in mind that we are also still unable to evict **residential** tenants as well pursuant to the Tenant Safe Harbor Act passed by the Governor on June 30, 2020.

Executive Order No. 202.55 also extended through September 4, 2020:

- (1) The period during which landlords are prohibited from charging late fees to tenants who have not paid their rent for any month since March 2020;
- (2) The period during which tenants can request that their security deposit be used to pay unpaid rent since March 2020, and then repay the security deposit back to the landlord over time; and,
- (3) The tolling of the acceptance or effective date of any offering plan or amendments to an offering plan for cooperatives and condominiums. Additionally, the tenants in occupancy of cooperative or condominiums are to be treated as non-purchasing tenants and get the same protections from evictions and unconscionable rent increases during a new tolling period (15 months plus 120 days inside NYC, or 12 months plus 120 days outside NYC).

The following is the link to the full text of [Executive Order 202.55](#).

We will of course continue to update you once we receive more guidance from the courts. Should you have any questions about any information contained in this alert, please contact one of our attorneys.