

**INFORMATION ON ANSWERING A NOTICE OF PETITION AND PETITION
(EVICTION/DISPOSSESS PAPERS for NON-PAYMENT of RENT)**

If you are in court for a "Non-Payment" case, because the Landlord claims you owe rent, you have the right to tell the Court the reason(s) why the rent may not be owed. Below are some reasons, called defenses, which the Court can consider in deciding how much rent you may owe to your Landlord. Tell the Clerk any reason(s) which you believe you are able to prove to the Judge. You may go to the Resource Center if you need more information to help you answer in your case.

SERVICE

1. I did not receive a copy of the Petition and Notice of Petition (Eviction papers/Dispossess).
2. I did not receive the court papers correctly as required by law. *(See a Housing Court Counselor (Pro-Se Attorney) or seek legal advice if you think you did not receive the eviction papers properly.)*

PARTIES

3. My name is not correct or is missing from the court papers.
4. The Petitioner is not the Landlord or Owner of the building.

RENT

5. I was not asked, either orally or in writing, to pay the rent before the Landlord started this proceeding.
6. I tried to pay the rent, but the Landlord refused to accept it.
7. The monthly rent being requested is not the legal rent or the amount on the current lease.
8. The Landlord owes money to me because of a rent overcharge.
9. The rent, or a portion of the rent, has already been paid to the Landlord.

APARTMENT

10. There are conditions in the apartment/building which need to be repaired and/or services which the Landlord has not provided.
11. I receive Public Assistance and there are Housing Code violations in the apartment or building.
12. The apartment is an illegal apartment.

OTHER

13. Laches: the petition comes as a surprise, the landlord knew for a long time that I owed the rent and waited too long to bring me to court. This delay has caused me harm.
14. I am not certain the petition is correct.
15. I am in the military /dependant on someone in the military.
16. Other Answer
(Please tell the Clerk any other reason(s) why you believe you do not owe your Landlord some or all of the rent or tell the clerk if you wish to file a counter claim)