

Civil Court of the City of New York

County of \_\_\_\_\_

Part \_\_\_\_\_

[Please Press Hard]

Index Number \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE  
To Restore to Possession**

Address: \_\_\_\_\_

Apt. # \_\_\_\_\_

Petitioner,

-against-

Respondent.

State of New York, County of \_\_\_\_\_ ss.:

\_\_\_\_\_ being duly sworn,

deposes and says:

(Print your name)

Tenant's  
Initials

**1. Party**

\_\_\_\_\_ a) I am the tenant named as respondent in the above summary proceeding.

\_\_\_\_\_ b) I am the person claiming possession of these premises and am the \_\_\_\_\_  
of the tenant named above.

**2. Service and Answer**

\_\_\_\_\_ a) I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.

\_\_\_\_\_ b) I received a Holdover Notice of Petition and Petition and the date had already passed.

**3. Excuse**

On the Date of Trial before Judge \_\_\_\_\_

\_\_\_\_\_ a) a Judgment was entered against me by default for my *failure to appear*. My reason for not appearing in Court on the date scheduled for **(Trial) (Motion)** is: \_\_\_\_\_

\_\_\_\_\_ b) a Judgment was entered **(after trial) (after stipulation) but (I) (the Landlord) failed to comply** with the Order of the Court because: \_\_\_\_\_

**4. Claim and Defense**

I allege that I have a good defense to my being evicted from the subject premises.

**5. Request**

Respondent requests that an Order be entered awarding and restoring the respondent to possession of the subject premises and the issuance of a warrant of eviction forthwith, granting permission to serve these papers in person, and such other relief as this Court deems proper.

**6. Prior Order**

\_\_\_\_\_ a) I **have not** had a previous Order to Show Cause regarding this index number.

\_\_\_\_\_ b) I **have** had a previous Order to Show Cause regarding this index number but I am making this further application because: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
*Signature of Respondent*

\_\_\_\_\_  
*Signature of Court Employee and Title*