



Tenant Answer and Counterclaim for Holdover Eviction

_____ Court

County of _____

Landlord/Petitioner (person/entity that started the case):

Tenants/Respondents (persons whom the case is against):

Index Number:

I am the tenant of the premises located at the following address:

Check all that apply:

ANSWER

- General Denial. The claims in the petition are not correct.

SERVICE

- I did not get both the notice of petition and petition.
- I got the notice of petition and petition, but the papers were not delivered the way the law requires.
- I did not get a notice of termination required by law before the landlord started the case.

PARTIES

- My name is wrong in this case.
- My name is not on the notice of petition and petition.
- Petitioner is not the landlord or owner of the building.
- The tenant listed is dead.

APARTMENT/HOUSE

- I fixed the problem the petitioner is complaining about.
- The conditions or behavior the petitioner is complaining about are exaggerated.
- The conditions or behavior the petitioner is complaining about are not true.
- There are or were conditions in the premises that need to be repaired and/or services that need to be restored: (describe conditions and/or services)

- My home is not listed correctly on the court papers (check all that apply):
 - wrong apartment/house number
 - wrong or missing information about rent regulation or laws that cover me

OTHER

- Petitioner accepted rent from me after the notice of termination date.
- Petitioner accepted payment of back rent through the Emergency Rental Assistance Program (ERAP) on ___/___/_____ and one year has not passed.
- Petitioner started this case to retaliate against me for actions I took in the past year.
- Petitioner has harassed me (please explain):

- I serve in the military, or I am dependent on someone in the military.
- Other defense/answer (please explain):

COUNTERCLAIMS

I request a judgment against the petitioner because:

- Petitioner owes me \$_____ for repairs or services I paid for.
- Petitioner owes me \$_____ for rent overcharges.
- Petitioner owes me a rent reduction or refund for failing to provide services.
- Petitioner should be fined for harassing me

NOTE: Only tenants in New York City – Bronx, Kings (Brooklyn), New York (Manhattan), Queens, or Richmond (Staten Island) – can make this claim.

VERIFICATION

STATE OF NEW YORK
COUNTY OF _____

_____, being duly sworn, states the following:

1. I am the tenant in this case.
2. I have read this form, and I know what it says.
3. The information above is true, accurate, and complete to the best of my knowledge and belief.

Tenant/Respondent Signature

Sworn to before me this _____
day of _____, 20_____.

Notary Public