



Tenant Answer and Counterclaim for Nonpayment 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 written rent demand.
- I got the written rent demand, but it was not delivered the way the law requires.
- I got a written rent demand, but it gave me less than 14 days to pay the rent.

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.

RENT

- Landlord didn't send the required notice by certified mail that my rent was 5 days overdue [see RPAPL 235-e].
- I, or someone on my behalf, tried to pay the rent, but the petitioner refused to accept it.
- The monthly rent requested is not the legal rent or the amount in the current lease.
- Petitioner owes me money because of a rent overcharge.
- Petitioner is asking for extra fees, late charges and penalties that are not part of the rent.
- I paid all or some of the rent to the petitioner.

APARTMENT/HOUSE

- 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
- The apartment is illegal.

OTHER

- Petitioner has waited too long to bring this case (laches).
- Petitioner has harassed me (please explain):

- Petitioner is asking for the HUD or Housing Authority Section 8 part of the rent, but the petitioner did not notify HUD or the Housing Authority about this case.
- 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.
- 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