

District Court/(1)\_\_\_\_\_ District  
County of (2) \_\_\_\_\_

Petitioner:

(4) \_\_\_\_\_

Respondent:

(5) \_\_\_\_\_

Index #: (3)

**PETITION**  
**(Holdover Proceeding)**

Petitioner, (6) \_\_\_\_\_ (“Petitioner” or ”Landlord”), by his/her/its attorneys  
(7)\_\_\_\_\_, asserts and alleged the following:

1. Petitioner is the owner and Landlord of the parcel of residential real property located at (8) \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ New York, County of Suffolk, Town of  
(9) \_\_\_\_\_ which is within the territorial jurisdiction of the Court.

2. More specifically, the residential property at the aforementioned address is a single family  
residential property [*or other*], bearing [*description as appropriate* – Apartment No. (10) \_\_\_\_\_; the  
(11) \_\_\_\_\_ rooms on the (12) \_\_\_\_\_ floor, first floor, second floor, etc.] (the “Subject Premises”).

3. Respondent(s) (13) \_\_\_\_\_  
\_\_\_\_\_ [*list every Tenant’s name(s)*] (“Respondent(s)” or  
“Tenant(s)”) is the Tenant of the Subject Premises, having entered into possession of the Subject Premises  
pursuant to an [*oral or written*] rental agreement, made on or about (14) \_\_\_\_\_, 20\_\_\_\_ and ending  
on (15) \_\_\_\_\_, 20\_\_\_\_ at the rental of \$ (16) \_\_\_\_\_ for each month payable on the  
(17) \_\_\_\_\_ day of each month (the “Lease”) between Petitioner and Respondent(s).

4. Respondent(s) (18) \_\_\_\_\_ is/are the Undertenants of the aforesaid  
Tenants.

5. The term for which the Subject Premises were rented by the Respondent(s) expired on  
(19) \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_ as a result of [(1) *the agreed upon time period of the verbal/written  
agreement has ended*; (2) *the agreed upon time period of the lease has ended*; (3) *a breach caused by  
Tenant following proper Notice (a copy of which is attached)*; or (4) *other*].

6. [*if applicable*] At least thirty (30) days [*or sixty (60) days or ninety (90) days*] written notice prior  
to the expiration of the rental agreement was served upon the Respondent(s) in a manner provided for by  
the law informing Respondent(s) that the Petitioner elected to [*terminate or not re-new*] the tenancy, and  
that unless Respondent(s) vacated the Subject Premises on the day which said term expired, Petitioner  
would commence a summary proceeding to remove Respondent(s) therefrom.

7. Respondent(s) continues to remain in possession of the Subject Premises without the permission of  
the Petitioner following the expiration or termination of said term.

8. There are no known applications for relief pursuant to the Emergency Rental Assistance Program  
(“ERAP”) pending at this time that would prohibit or bar the commencement of the herein summary  
proceeding [*include for as long as ERAP is in effect*].

**WHEREFORE**, Petitioner requests: (1) a final judgement of possession in Petitioner's favor; (2) issuance of a warrant to remove Respondent(s) from possession of the Subject Premises; and (3) a money judgement for rent arrears and/or fair value and use and occupancy in the sum of \$ **(20)**\_\_\_\_\_, with interest from [*the first date that the unpaid rent was due*], plus costs and disbursements herein.

Dates: \_\_\_\_\_

ATTORNEY'S FIRM NAME

\_\_\_\_\_

Attorneys for Petitioner\_\_\_\_\_

By: \_\_\_\_\_

Address

City, State Zip Code

Telephone Number

Facsimile Number

STATE OF NEW YORK)

) ss:

COUNTY OF \_\_\_\_\_)

[*Petitioner or duly authorized Agent for Petitioner*], being duly sworn, states that deponent has read the foregoing Petition, and the contents of the Petition are true to deponent's own knowledge except as to those matters that are alleged upon information and belief, and as to those matters, deponent believed them to be true.

\_\_\_\_\_  
Petitioner (Signature)

\_\_\_\_\_  
Print Name/Title

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

of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public



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[ada@nycourts.gov](mailto:ada@nycourts.gov)



Spoken or Sign Language Interpreters  
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