

**ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

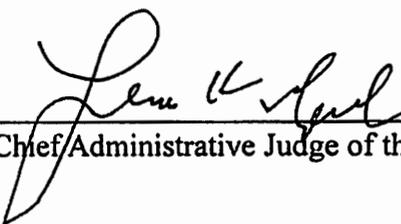
Pursuant to the authority vested in me, and as required by L. 2020, c. 381 (the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 ["Act"]) as amended by L. 2021, c. 104 ("Amendment"; Exh. 1), I hereby direct that the following restrictions shall apply to the conduct of residential eviction matters before the New York State courts:

1. **Requirement of Additional Affidavits in Newly-Commenced Proceedings:** No court shall accept for filing any petition or other commencement papers in an eviction proceeding unless those papers include affidavits as required by Part A, §5 of the Act; Amendment, §5)
2. **Bar on Issuance or Enforcement of Default Judgments:** Prior to August 31, 2021, no court shall issue a default judgment authorizing an eviction in a residential eviction matter, or authorize the enforcement of an eviction pursuant to a default judgment, without first holding a hearing upon motion of the petitioner (Act, Part A, §7; Amendment, §2).
3. **Stay of Execution of Warrants in Residential Eviction Proceedings:** In any residential eviction proceeding in which a warrant of eviction has been issued but has not yet been executed as of December 28, 2020, execution of the warrant shall be stayed until the court has held a status conference with the parties until August 31, 2021. (Act, Part A, §8[a][i]); Amendment §3).
4. **Pending or Newly-Commenced Proceedings for Objectionable or Nuisance Behavior:** Notwithstanding the foregoing, a pending or newly-filed proceeding in which a petitioner has alleged that a tenant is persistently and unreasonably engaging in behavior that substantially infringes upon the use and enjoyment of other tenants or occupants, or causes a substantial safety hazard to others, may continue to be heard in accordance with the Act (Act, Part A, §§9, 9[5]; Amendment §13). If the petitioner fails to establish that the tenant persistently and unreasonably engaged in such behavior and the tenant has submitted a hardship declaration, the court shall stay or continue to stay further proceedings until August 31, 2021. (Act, Part A §§9, 9[4]; Amendment §4).
5. **Prior Judgments Based on Objectionable or Nuisance Behavior:** If the court has awarded judgment against a respondent prior to December 28, 2020 on the basis of objectionable or nuisance behavior, the court shall hold a hearing to determine whether the tenant is continuing to persist in engaging in unreasonable behavior that substantially infringes on the use and enjoyment of other tenants or occupants or causes substantial safety hazard to others (Act, Part A, §9[2]; Amendment §5).

6. All residential eviction proceedings shall be conducted as required by the further provisions of the Act.

7. This order supersedes the provisions of any other Administrative order inconsistent with its terms.

This order shall take effect immediately and shall remain in effect through August 31, 2021.

  
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Chief/Administrative Judge of the Courts

Dated: May 24, 2021

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