

IMPORTANT TO TENANT — If you are dependent upon a person in the military service of the United States or the State of New York, advise the Clerk immediately, in order to protect your rights.

Index No.

against

Petitioner (Landlord)

Respondent (Tenant)
Address

Respondent (Undertenant)

NOTICE OF PETITION
Holdover

First name of Tenant and/or Undertenant being fictitious and unknown to petitioner,
Person intended being in possession of the premises herein described*

To the respondent[s] above named and described, in possession of the premises hereinafter described or claiming possession thereof:

DRAFT

PLEASE TAKE NOTICE that a hearing at which you must appear will be held at the

County of _____ on _____ at _____ am/pm, on the annexed petition
of _____ which prays for a final judgment of eviction, awarding to the
petitioner the possession of premises designated and described as follows:
the _____ rooms on the _____ floor, Apartment No. _____ at _____
County of _____ and further granting to the petitioner such other and further
relief as is demanded in the petition, which you must answer.

*TAKE NOTICE also that demand is made in the petition for judgment against you, the respondent, for the sum of
\$ _____ with interest thereon from _____.

TAKE NOTICE that your answer may set forth any defense or counterclaim you may have against the petitioner.

TAKE NOTICE also that if you shall fail at such time to interpose and establish any defense that you may have to the allegations
of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

TAKE NOTICE also that you may submit an answer either prior to or at the time of hearing specified above, either orally
before the Clerk of the Court or in writing, by serving a copy thereof upon the undersigned attorney for the **petitioner, as well as
to the Clerk or presiding Judge.

DRAFT

TAKE NOTICE that your failure to appear and answer may result in final judgment by default for the petitioner in the
amount demanded in the petition.

Dated:

DRAFT

Attorney(s) for Petitioner
Office & Post Office Address, Telephone

Clerk

*Delete if inapplicable

**If the petitioner appears in person, strike out the words "undersigned attorney for the."

being duly sworn, deposes and says that deponent is not a party to this proceeding, is over 18 years of age and resides at

deposes and says that he is the agent of
Petitioner in the within proceeding.

That on at No.

That the property sought to be recovered is No.

deponent served the within notice of petition and petition on

(a) respondent therein named, by delivering a true copy of each to said respondent personally; deponent knew the person so served to be the person described as said respondent therein. Deponent describes the individual as

☐ male ☐ female height weight hair color

age

(b) a corporation, respondent

therein named, by delivering a true copy thereof to personally; deponent knew said corporation so served to be the corporation described therein as said respondent and knew said individual to be the

thereof.

Sworn to before me on

Sworn to before me on

State of New York, County of

ss.:

says, that deponent is not a party to this proceeding, is over 18 years of age and resides at No.

Deponent was unable to serve

being sworn,

respondent by

personal delivery. The property sought to be recovered is No.

On

at o'clock M.

deponent served the within notice of petition and petition

SUBSTITUTED SERVICE

by gaining admittance to said property and delivering to and leaving a copy thereof personally with a person of suitable age and discretion who was willing to receive same and who ☐ resided ☐ was employed—at said property

CONSPICUOUS PLACE SERVICE

☐ by affixing a copy thereof upon a conspicuous part, to wit: — the entrance door

☐ by placing a copy thereof under the entrance door of such premises;

deponent was unable to gain admittance thereat or to find a person of suitable age and discretion willing to receive same.

MAILING

and within 1 day thereafter, on

by mailing a copy thereof enclosed in a postpaid properly addressed wrapper to respondent at the property sought to be recovered which is respondent's residence or corporate respondent's principal office or principal place of business by registered—certified—mail and by regular first class mail.

use either (a) or (b) if applicable

(a) which is individual tenant's last residence address ☐ place of business or employment address

(b) which is corporate tenant's last known principal office or principal place of business within the state by depositing the same in—a post office—official depository under the exclusive care and custody of the United States Postal Service within the state.

Sworn to before me on

Index No.

Before

Justice

Petitioner
Landlord

Respondent
Tenant

Notice of Petition - Holdover

Returnable:

at M.

Petitioner appears on and demands possession of the premises within mentioned, by reason of the expiration of the tenant's term.

The Respondent Tenant appears

Decision is therefore rendered the in favor of
day of Petitioner Landlord and I hereby award to Landlord
Petitioner the delivery of the possession of the premises
within described, by reason of the expiration of the tenant's
term, and I hereby order that a warrant issue to remove the
said Tenant and all persons from the said premises, and
put the Petitioner Landlord into full possession thereof; and
I hereby award to the Petitioner Landlord costs of the proceedings.

Justice

Warrant issued day of

Justice

AFFIDAVIT AS TO LAST RESIDENCE