



Legislation Text

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Res. No. 246

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation requiring unlawful eviction cases to be heard within five days.

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Louis, Hanif, Ayala, Bottcher, Marte, Salaam, Rivera, Cabán, Avilés, Hudson, Won, Banks, Restler, Joseph and the Public Advocate (Mr. Williams)

Whereas, Evicting tenants without getting an order from housing court is a crime and a property owner could receive a summons or even go to jail for up to a year; and

Whereas, According to an article by the City, an online publication, some property owners have been disregarding the law by changing locks and turning off utilities to get tenants to leave their apartment without first going to court; and

Whereas, The article mentioned that New York City (“NYC”) tenants filed 2,642 illegal lockout cases in 2020 and 2021 in housing court; and

Whereas, Unlawful evictions can increase the risk of homelessness and elevate long-term residential instability; and

Whereas, According to the Coalition for the Homeless, a homeless advocacy group, in the past few years homelessness in NYC has reached the highest levels since the Great Depression of the 1930s; and

Whereas, The courts should act swiftly in unlawful eviction cases and restore a lawful tenant back to their apartment; and

Whereas, Section 110(9) of the NYC Civil Court Act states that such cases shall be “...returnable within five days, or within any other time period in the discretion of the court”; and

Whereas, Housing court should not have the discretion to hear unlawful eviction cases on a slower

timetable than within five days; and

Whereas, Expediting the process to hear these type of cases could help prevent unnecessary displacement and reduce the risk of homelessness; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation requiring unlawful eviction cases to be heard within five days.

Session 13
LS #12087
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Session 12
JLC
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