

**INFORMATION ON ANSWERING A NOTICE OF PETITION AND PETITION
(EVICTION/DISPOSSESS PAPERS for NON-PAYMENT of RENT)**

If you are in court for a "Non-Payment" case, because the Landlord claims you owe rent, you have the right to tell the Court the reason(s) why the rent may not be owed. Below are some reasons, called defenses, which the Court can consider in deciding how much rent you may owe to your Landlord. Tell the Clerk any reason(s) which you believe you are able to prove to the Judge. You may go to the Help Center if you need more information to help you answer in your case.

SERVICE

1. I did not receive a copy of the Petition and Notice of Petition (Eviction papers/Dispossess).
2. I did not receive the court papers correctly as required by law. *(See a Housing Court Counselor (Pro-Se Attorney) or seek legal advice if you think you did not receive the eviction papers properly.)*

PARTIES

3. My name is not correct, is wrong or is missing from the court papers. The tenant is dead.
4. The Petitioner is not the Landlord or Owner of the building, or otherwise a proper party.

RENT

5. I was not asked, either orally or in writing, to pay the rent before the Landlord started this case.
6. I tried to pay the rent, but the Landlord refused to accept it.
7. The monthly rent being requested is not the legal rent or the amount on the current lease.
8. The Landlord owes money to me because of a rent overcharge. I paid for repairs or services.
9. The rent, or a portion of the rent, has already been paid to the Landlord.

APARTMENT

10. There are conditions in the apartment/building/house which need to be repaired and/or services which the Landlord has not provided.
11. The petition does not describe the apartment/house correctly: wrong apartment/house number; wrong or missing program(s)/and or laws covering my tenancy.
12. The apartment/house is an illegal apartment.

OTHER

13. Laches: the petition comes as a surprise, the landlord knew for a long time that I owed the rent and waited too long to bring me to court. This delay has caused me harm.
14. I am not certain the petition is correct.
15. NEW YORK CITY ONLY The Petitioner has harassed me _____.
16. I am in the military /dependent on someone in the military.
17. The petition seeks the HUD OR Housing Authority Section 8 part of the rent. The petitioner did not notify HUD OR Housing Authority about this case. Other _____.
18. I seek a judgment and/or order based upon the above defense(s). _____
19. Other counterclaim(s): *(Please tell the Clerk any other reason(s) why you believe you do not owe your Landlord some or all of the rent or tell the clerk if you wish to file a counter claim).*