

CIVIL COURT OF THE CITY OF NEW YORK

CHIEF CLERK’S MEMORANDUM

Subject: NYCHA Fees.

Class: CCM-175

Category: LT-10

Eff. Date: March 5, 2008

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BACKGROUND

The New York City Housing Authority (NYCHA) files cases in the court under its own name. No filing fees are required because the NYCHA is a fee exempt authority. In the last few years NYCHA has outsourced some of its developments to private management companies. These companies manage the buildings and perform all the duties that the NYCHA staff used to perform: Collect rent, make repairs, bring persons to court, etc. A few years ago we took the position that since those cases were being brought by private managing companies, they were subject to the payment of fees. This policy was applied inconsistently, and sometimes when the notices of petition and petitions were filed by one of these private managing companies using pink NYCHA paper we would accept the papers without requiring a fee, but when regular (non-pink) notices of petition and petitions were used we required a fee. The only exception to this rule was the Forest Hills Co-op, which was exempted from paying a filing fee on March 14, 2002.

To ensure consistent practices we are instituting the following policy.

PROCEDURE

The NYCHA is a fee exempt agency. Any NYCHA notice of petition and petition, whether brought by NYCHA or by a private management company on behalf of NYCHA should be treated as fee exempt.

To indicate to the clerk that these papers should be considered fee exempt, the filer is to either print the notices of petition and petitions on pink paper or, using a pink highlighter, mark the papers prominently in the area where the clerk will stamp the index number.

All cases falling under this category are to be treated as NYCHA cases and are to be sent to the NYCHA part.

A copy of this directive is to be posted by the Cashier’s window and a copy given to any attorney or process server that files these kind of cases.

Date 3/5/08

/S
Jack Baer
Chief Clerk