There is a new statewide court order effective August 13th. It prohibits any evictions until October 1. It changes the way courts may handle eviction cases which had started before March 16th and where the tenant does not have a lawyer. Deadlines to respond to court papers are still pushed back until September 4. The order is on the New York court’s website at <https://www.nycourts.gov/whatsnew/pdf/Rev_Ev_8_12.pdf>.

On June 30, the Governor signed a law prohibiting judgments of possession and the signing of warrants of eviction in non-payment proceedings against tenants who have unpaid rent from March 7th through when the Governor’s office lifts all orders restricting the size of gatherings *and*  who have suffered a Covid-related financial hardship. It is up to the tenant to satisfy the court that she suffered a Covid-related financial hardship.

Anyone who rents a room, house, manufactured home, or other residential space or lives with someone who has been there for at least thirty days or who has signed a lease **cannot be evicted without a warrant of eviction or government order**. A landlord cannot prevent an occupant or a tenant from living in their space without taking the person to court and following all court procedures to obtain a warrant of eviction. Unless there is an order from a family or criminal court stating a person must vacate or that the dwelling is condemned, an occupant cannot be put out without a warrant of eviction.

Without a warrant or government order, a landlord, management company or person working for the landlord cannot:

change the locks without giving a new key;

break or remove the lock or the door;

shut off essential services;

remove belongings;

use violence or threats of violence;

otherwise make it impossible for a person to safely live in their home.

Before there can be an eviction, a judge has to sign a warrant of eviction. The warrant can only be served by a constable, marshal or sheriff. It has to be served at least 14 days before they can come back and evict.

If a landlord has taken any unlawful action, you can file an **order to show cause** alleging an **illegal lockout**. There is an emergency court in each county that will hear these cases. We have a form and instructions, which include the locations of the emergency courts.

If you have emergency repairs or you have lost income, please call LSHV’s intake line, 877-574-8529, so we can evaluate your situation and ensure you are aware of all available resources.