

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
CITY/TOWN/VILLAGE COURT OF \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Landlord

Index No. \_\_\_\_\_

– against –

**NOTICE OF PETITION  
HOLDOVER**

\_\_\_\_\_  
Respondent(s)/Tenant(s)

To the Respondent(s) above named and described, in possession of the premises hereinafter described or claiming possession thereof:

**PLEASE TAKE NOTICE** that a hearing at which you must appear will be held at the City/Town/Village Court of \_\_\_\_\_, County of \_\_\_\_\_, located at \_\_\_\_\_, on \_\_\_\_\_, **20\_\_** at \_\_\_\_\_ **am/pm**, which prays for a final judgment of eviction, awarding to the petitioner the possession of premises designated and described as follows: \_\_\_\_\_, County of \_\_\_\_\_, and further granting to the petitioner such other and further relief as is demanded in the petition, which you are required to answer.

**TAKE NOTICE** also that demand is made in the petition herein for judgment against you, the respondent, for the fair value of your use and occupancy as it may accrue during the pendency of this matter, costs and disbursements herein, together with such other and further relief as the Court may deem just and proper.

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

**TAKE NOTICE** also that if you fail 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** 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: \_\_\_\_\_

Petitioner Address and Phone:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Issuing Court Clerk Pursuant to RPAPL §731*

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

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
CITY/TOWN/VILLAGE COURT OF \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Landlord

Index No. \_\_\_\_\_

– against –

**VERIFIED PETITION  
HOLDOVER**

\_\_\_\_\_  
Respondent(s)/Tenant(s)

The Petition of \_\_\_\_\_ shows that:

1. Petitioner \_\_\_\_\_ is the owner/landlord of the premises.
2. Respondent(s)/tenant(s) \_\_\_\_\_ is/are the tenant(s) of the premises who entered into possession thereof under a rental agreement between Respondent(s)/tenant(s) and Petitioner.
3. Respondent(s)/Tenant(s) are now in possession of the premises.
4. The premises from which removal is sought is described as follows: \_\_\_\_\_, County of \_\_\_\_\_, which is situated within the territorial jurisdiction of this Court.
5. The term for which said premises were rented by the Respondent/Tenant expired on \_\_\_\_\_, as a result of a 30-day notice to terminate tenancy, duly served in accordance with Real Property Law Section 232-B. A copy of the 30-day notice and affidavit of service are attached.
6. Respondent(s)/Tenant(s) continue in possession of the premises without permission of the Petitioner/Landlord after the expiration or termination of said term.

Petitioner requests final judgment: awarding possession of the premises to the petitioner/landlord; issuance of a warrant to remove respondent/tenant and all other persons from possession; judgment for fair value of use and occupancy after expiration of the tenancy; and costs, disbursements, together with such other and further relief as the Court may deem just and proper.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Petitioner/Landlord**

**VERIFICATION**

STATE OF NEW YORK        )  
  ) ss:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that the deponent has read the petition and the contents of the petition are true to deponent's knowledge except as to those matters which are alleged on information and belief, and as to them deponent believes them to be true. The information stated above is based on Deponent's personal knowledge and the books and records of Petitioner.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Landlord

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public