

STATE OF NEW YORK

4628

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. ZEBROWSKI -- read once and referred to the
Committee on Judiciary

AN ACT requiring the court to hold a settlement conference prior to
conducting any further proceedings in any pending residential eviction
matter; and providing for the repeal of such provisions upon expira-
tion thereof

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Notwithstanding any provision of law to the contrary, prior
2 to conducting any further proceedings in any pending residential
3 eviction matter, the court must hold a settlement conference with the
4 petitioner and the respondent to review the effects, if any, that the
5 COVID-19 pandemic has had on either parties, review any relief under
6 state or federal law that either party may be eligible for, including
7 the New York Tenant Safe Harbor Act (Chapter 127 of 2020), refer either
8 party to local civil legal service providers or housing counseling agen-
9 cies, assess any pending and anticipated motions, approved briefing
10 schedules proposed by stipulation of the parties, determine whether the
11 parties can reach a mutually agreeable resolution to avoid eviction and
12 review any other issues the court deems relevant. To the greatest extent
13 possible, the court shall schedule a settlement conference prior to a
14 trial or hearing, provided however, this requirement shall apply in all
15 matters at any stage of the eviction process, including any matter where
16 a warrant of eviction has issued and been delivered to an enforcement
17 agent but has not been executed. The court shall establish the parame-
18 ters of the conference to ensure it is conducted, either in person or
19 virtually, in a manner that ensures equitable participation of the
20 parties and a good faith attempt at settlement. The chief administrative
21 judge shall by rule adopt procedures to implement such settlement
22 conference.

23 § 2. This act shall take effect immediately and shall be deemed
24 repealed January 1, 2023.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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