

STATE OF NEW YORK

9377

IN SENATE

May 23, 2022

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the New York city civil court act, in relation to monetary jurisdictional limits

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

Section 1. Section 201 of the New York city civil court act, as amended by chapter 11 of the laws of 1984, is amended to read as follows:

§ 201. Jurisdiction; in general. The court shall have jurisdiction as set forth in this article and as elsewhere provided by law. The phrase ~~["\$25,000"]~~ "\$50,000", whenever it appears herein, shall be taken to mean ~~["\$25,000"]~~ "\$50,000 exclusive of interest and costs".

§ 2. Section 202 of the New York city civil court act, as amended by chapter 11 of the laws of 1984, is amended to read as follows:

§ 202. Money actions and actions involving chattels. The court shall have jurisdiction of actions and proceedings for the recovery of money, actions and proceedings for the recovery of chattels and actions and proceedings for the foreclosure of liens on personal property where the amount sought to be recovered or the value of the property does not exceed ~~["\$25,000"]~~ \$50,000.

§ 3. Section 203 of the New York city civil court act, as amended by chapter 11 of the laws of 1984, is amended to read as follows:

§ 203. Actions involving real property. The court shall have jurisdiction of the following actions provided that the real property involved or part of it is situate within the county in the city of New York in which the action is brought:

(a) An action for the partition of real property where the assessed valuation of the property at the time the action is commenced does not exceed ~~["\$25,000"]~~ \$50,000.

(b) An action for the foreclosure, redemption or satisfaction of a mortgage on real property where the amount of the mortgage lien at the time the action is commenced does not exceed ~~["\$25,000"]~~ \$50,000.

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

LBD15917-01-2

1 (c) An action for the foreclosure of a lien arising out of a contract
2 for the sale of real property where the amount of the lien sought to be
3 foreclosed does not, at the time the action is commenced, exceed
4 ~~[\$25,000]~~ \$50,000.

5 (d) An action for the specific performance of a contract for the sale
6 of real property where the contract price of the property does not
7 exceed ~~[\$25,000]~~ \$50,000.

8 (e) An action for the establishment, enforcement or foreclosure of a
9 mechanic's lien on real property where the lien asserted does not, at
10 the time the action is commenced, exceed ~~[\$25,000]~~ \$50,000.

11 (f) An action to reform or rescind a deed to real property where the
12 assessed valuation of the property does not exceed ~~[\$25,000]~~ \$50,000 at
13 the time the action is commenced.

14 (g) An action to reform or rescind a contract for the sale of real
15 property where the agreed price of the property as stated in the
16 contract does not exceed ~~[\$25,000]~~ \$50,000; or, if the controversy shall
17 be with regard to the price of the property, where the agreed price as
18 claimed by plaintiff does not exceed ~~[\$25,000]~~ \$50,000.

19 (h) An action to reform or rescind a mortgage on real property where
20 the unpaid balance of the debt secured by the mortgage does not exceed
21 ~~[\$25,000]~~ \$50,000 at the time the action is commenced.

22 (i) An action to compel the determination of a claim to real property
23 under article fifteen of the real property actions and proceedings law
24 where the assessed valuation of the property does not exceed ~~[\$25,000]~~
25 \$50,000 at the time the action is commenced.

26 (j) An action of ejectment where the assessed valuation of the real
27 property does not exceed ~~[\$25,000]~~ \$50,000 at the time the action is
28 commenced.

29 (k) An action brought to impose and collect a civil penalty for a
30 violation of state or local laws for the establishment and maintenance
31 of housing standards, including, but not limited to, the multiple dwell-
32 ing law and the housing maintenance code, building code and health code
33 of the administrative code of the city of New York.

34 (l) An action to recover costs, expenses and disbursements incurred by
35 the city of New York in the elimination or correction of a nuisance or
36 other violation of any law described in subdivision (k) of this section,
37 or in the removal or demolition of any building pursuant to such law or
38 laws.

39 (m) An action or proceeding to establish, enforce or foreclose a lien
40 upon real property and the rents therefrom, for civil penalties, or for
41 costs, expenses and disbursements incurred by the city of New York in
42 the elimination of a nuisance or other violation of any law described in
43 subdivision (k) of this section, or in the removal or demolition of any
44 building pursuant to such law or laws.

45 (n) Actions and proceedings for the removal of housing violations
46 recorded pursuant to any law described in subdivision (k) of this
47 section, or for the imposition of such violation or for the stay of any
48 penalty thereunder.

49 (o) An action or proceeding for the issuance of an injunction,
50 restraining orders or other orders for the enforcement of housing stand-
51 ards under any law described in subdivision (k) of this section.

52 (p) Special proceedings to vest title in the city of New York to aban-
53 doned multiple dwellings.

54 § 4. Section 205 of the New York city civil court act, as amended by
55 chapter 11 of the laws of 1984, is amended to read as follows:

1 § 205. Interpleader. The court shall have jurisdiction of an action of
2 interpleader and defensive interpleader as defined and governed by the
3 CPLR, provided that the amount in controversy or the value of the prop-
4 erty involved does not exceed [~~\$25,000~~] \$50,000.

5 § 5. Section 208 of the New York city civil court act, as amended by
6 chapter 11 of the laws of 1984, is amended to read as follows:

7 § 208. Counterclaims. The court shall have jurisdiction of counter-
8 claims as follows:

9 (a) Of any counterclaim the subject matter of which would be within
10 the jurisdiction of the court if sued upon separately.

11 (b) Of any counterclaim for money only, without regard to amount.

12 (c) Of any counterclaim for:

13 1. the rescission or reformation of the transaction upon which the
14 plaintiff's cause of action is founded, if the amount in controversy on
15 such counterclaim does not exceed [~~\$25,000~~] \$50,000; or

16 2. an accounting between partners after the dissolution of the part-
17 nership, where the book value of the partnership assets does not exceed
18 [~~\$25,000~~] \$50,000 and the plaintiff's cause of action arises out of the
19 partnership.

20 (d) In an action commenced in the housing part by the city department
21 charged with enforcing the multiple dwelling law, housing maintenance
22 code, or other state or local laws applicable to the enforcement of
23 proper housing standards, no counterclaim may be interposed or main-
24 tained except if it relates to an action or proceeding specified in
25 subdivision (a) of § 110 of this act.

26 § 6. Section 211 of the New York city civil court act, as amended by
27 chapter 11 of the laws of 1984, is amended to read as follows:

28 § 211. Joinder of causes of action in complaint; effect on jurisdic-
29 tion. Where several causes of action are asserted in the complaint and
30 each of them would be within the jurisdiction of the court if sued upon
31 separately, the court shall have jurisdiction of the action. In such
32 case judgment may be rendered by the court in excess of [~~\$25,000~~]
33 \$50,000 if such excess result solely because of such joinder. Nothing
34 herein shall be construed to prevent the court from granting judgment in
35 an unlimited amount on a counterclaim.

36 § 7. Section 212-a of the New York city civil court act, as amended
37 by chapter 65 of the laws of 2010, is amended to read as follows:

38 § 212-a. Declaratory judgments involving obligations of insurers and
39 de novo review under part 137 of the rules of the chief administrator of
40 the courts (22 NYCRR Part 137). The court shall have the jurisdiction
41 defined in section 3001 of the CPLR to make a declaratory judgment with
42 respect to:

43 (a) any controversy involving the obligation of an insurer to indem-
44 nify or defend a defendant in an action in which the amount sought to be
45 recovered does not exceed [~~\$25,000~~] \$50,000; and

46 (b) actions commenced by a party aggrieved by an arbitration award
47 rendered pursuant to part 137 of the rules of the chief administrator in
48 which the amount in dispute does not exceed [~~\$25,000~~] \$50,000.

49 § 8. Section 213 of the New York city civil court act, as amended by
50 chapter 11 of the laws of 1984, is amended to read as follows:

51 § 213. Jurisdiction for rescission or reformation of certain trans-
52 actions. The court shall have jurisdiction of actions for rescission or
53 reformation of a transaction if the amount in controversy does not
54 exceed [~~\$25,000~~] \$50,000.

55 § 9. This act shall take effect immediately and shall be deemed to
56 have been in full force and effect on and after January 1, 2022.