S T A T E O F N E W Y O R K

4685

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. V. LOPEZ, COOK -- Multi-Sponsored by -- M. of A. CLARK, GLICK, GOTTFRIED, GREENE, MAYERSOHN, WRIGHT -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in relation to special provisions applicable in non-payment proceeding if the rules so provide

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 3 of section 732 of the real property actions and proceedings law, as added by chapter 910 of the laws of 1965, is amended to read as follows:

3. If the respondent fails to answer within five days from the date of service, as shown by the affidavit or certificate of service of the notice of petition and petition, the judge [shall] MAY render judgment in favor of the petitioner and may stay the issuance of the warrant for a period of not to exceed ten days from the date of service.

S 2. This act shall take effect immediately.

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

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