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.

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

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

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

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

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

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

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

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

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

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

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

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

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

(p) Special proceedings to vest title in the city of New York to abandoned multiple dwellings.

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

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

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

§ 208. Counterclaims. The court shall have jurisdiction of counterclaims as follows:

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

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

(c) Of any counterclaim for:

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

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

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

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

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

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

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

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

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

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

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

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