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 expiration thereof

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

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

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 This act shall take effect immediately and shall be deemed repealed January 1, 2023.

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

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