**WARNING**

**YOUR FAILURE TO APPEAR** **IN COURT MAY RESULT IN** **YOUR IMMEDIATE ARREST AND** **IMPRISONMENT FOR** **CONTEMPT OF COURT.**

**NOTICE**

**THE PURPOSE OF THIS HEARING IS TO PUNISH [RESPONDENTS-LANDLORDS] FOR CONTEMPT OF COURT AND SUCH PUNISHMENT MAY CONSIST OF A FINE OR IMPRISONMENT, OR BOTH ACCORDING TO LAW.**

CIVIL COURT OF THE CITY OF NEW YORK

COUNTY OF [COUNTY]: HOUSING PART B

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[PETITIONER],

ORDER TO SHOW CAUSE TO RESTORE TO THE CALENDAR FOR CIVIL PENALTIES AND CONTEMPT

L&T Index No. [ ]/24

Petitioner - Tenant

-against-

[OWNER], as Owner;

[MANAGING AGENT] as Managing Agent;

[HEAD OFFICER] as Head Officer,

Respondents - Landlords

NEW YORK CITY DEPARTMENT OF HOUSING

PRESERVATION AND DEVELOPMENT,

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Upon the annexed affidavit of [PETITIONER], sworn to on [ ], the affirmation of [ATTORNEY], the annexed exhibits, and all papers and proceedings had hereto, and good cause having been shown:

ORDERED, that the Respondents are directed to appear before this court and show cause at a Trial Term of the Housing Part of the Civil Court of the City of New York, County of [County], Housing Part B [Part H for Bronx, C for Queens, B for all others], to be held at the Courthouse thereof, located at 141 Livingston Street, Room 409, Brooklyn / 1118 Grand Concourse, Room 590, Bronx / 111 Centre Street, Room 583, New York / 89-17 Sutphin Blvd., Room 407, Jamaica, New York, on the **\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 2024, at 9:30 AM**, or as soon as thereafter as the parties or counsel can be heard, WHY an Order should not be made Punishing the Landlord-Petitioner for civil contempt pursuant to Judiciary Law §§ 753(A)(3), 756, 773 and 774, for their failure to comply with the Court’s [date of your Order to Correct/ consent order/ stipulation] lawful mandate in this case;

1. Restoring this Housing Part proceeding, Index Number LT-[ ] to the court calendar;
2. Punishing [RESPONDENTS-LANDLORDS] for civil contempt by fine for their failure to comply with the Order to Correct/ signed consent order/ signed stipulation, so-ordered by the Honorable [JUDGE] and dated [DATE];
3. Entering judgment against Respondents for civil penalties for their failure to comply with the Court’s consent order;
4. Awarding Petitioner fines and/or damages due to Respondents’ failure to comply with the Court’s consent order, in an amount to be determined at trial;
5. Compelling Respondents to comply with the Order to Correct/ signed consent order/ signed stipulation [date]; and
6. Granting Petitioner’s attorneys’ fees pursuant to R.P.L. § 234 and awarding reasonable costs and disbursements in an amount to be determined by the Court; and
7. Providing such other and further relief as the Court may deem just and proper

IT IS FURTHER ORDERED, that service of a copy of this Order, together with a copy of the papers upon which it is granted, upon each Respondent and their Counsel, shall be made by first-class mail, certified mail or overnight ground express no less than ten and no more than thirty days before the time which the application is noticed to be heard, pursuant to Jud § 756, and shall be deemed good and sufficient service, and these papers, together with proof of service thereof, may be returned on or before the return date of this proceeding.

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Dated: [COUNTY], New York

\_\_\_\_\_\_\_\_\_\_\_\_\_, 2024

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To: [RESPONDENT(S)

[RESPONDENT ADDRESS(ES)]

[RESPONDENT’S COUNSEL

RESPONDENT’S COUNSEL ADDRESS

RESPONDENT’S COUNSEL PHONE/EMAIL etc.]

DEPARTMENT OF HOUSING PRESERVATION

AND DEVELOPMENT

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