



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

APPROVAL # 2  
CHAPTER # 127

June 30, 2020

MEMORANDUM filed with Senate Bill 8192-B, entitled:

“AN ACT in relation to prohibiting the eviction of residential tenants who have suffered financial hardship during the COVID-19 covered period”

A P P R O V E D

Those who are financially suffering should rest assured that New York will continue to help those in need throughout the duration of this crisis. This legislation amends the Real Property Actions and Proceedings Law to permit tenants who have faced financial hardship during the COVID-19 public health emergency to remain in their home without fear of eviction. It provides safe harbor to anyone who has suffered economically during the COVID-19 pandemic.

The legislation prohibits issuance of a warrant of eviction or judgment of possession against a residential tenant who has suffered financial hardship during NY on Pause; from March 7, 2020 until the date on which none of the provisions that closed or otherwise restricted public or private businesses or places of public accommodation, or required postponement or cancellation of all non-essential gatherings of individuals of any size for any reason in Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13 or 202.14, as extended by Executive Orders 202.28 and 202.31, and as further extended by any future Executive Order issued in response to the COVID-19 public health emergency continue to apply in the county of the tenant's or lawful occupant's residence.

In signing this bill, I want to clarify several provisions.

This legislation does not allow a tenant who willfully withholds rent from their landlord or who has not faced a financial hardship during the COVID-19 public health emergency from facing any appropriate legal action. Additionally, a landlord may still receive a monetary judgment against any tenant for any rent due but not paid during this period.

Further, detractors claimed this legislation applies indefinitely, but the plain reading of the legislation does not provide for an indefinite moratorium on evictions. The restrictions apply only during the current period where places of business are required to be closed, or non-essential gatherings are required to be postponed or cancelled. Once the restrictions are lifted on a county-by-county basis and a region has reached Phase 4, and all other individual business entities that were separately closed by Executive Order have been permitted to reopen then such proceedings could commence.

Since the beginning of the pandemic, I have issued two Executive Orders to ensure that no one is evicted because they cannot pay rent due to the COVID-19 public health emergency. I have also signed into law a rental assistance package for vulnerable New Yorkers, as well as legislation extending mortgage relief. In signing this legislation, I am taking one more step to ensure that New Yorkers who need help are protected.

This bill is approved.

A handwritten signature in black ink, appearing to read 'Andrew Cuomo', written over a horizontal line.

