



The City of New York
Department of Investigation

MARGARET GARNETT
COMMISSIONER

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Attention All City Marshals:

The Office of Court Administration has issued revised procedures to address and effectively manage the pre-pandemic caseload. Please review Administrative Order 160/20, dated August 12, 2020, and disseminated to all City marshals on August 13, 2020. Also, see attached Directive and Procedures (DRP-213 and DRP-214¹), issued by Administrative Judge Cannataro on August 12, 2020 and August 19, 2020, respectively.

This writing is intended to summarize and highlight some points from the Court's orders and directives. Nothing contained herein should be interpreted in a way that would conflict with the Court's directives.

Residential and commercial eviction proceedings commenced on or after March 17, 2020: All eviction proceedings, whether residential or commercial, non-payment or holdover, continue to be suspended until further notice.

Residential eviction proceedings commenced prior to March 17, 2020: No residential eviction shall be scheduled, or take place, prior to October 1, 2020. Beginning August 20, 2020, a petitioner seeking to enforce a judgment of possession, with or without a previously issued warrant of eviction, must seek leave of court by motion and notice to respondent.

Beginning on October 1, 2020, Marshals may execute on an eviction warrant—following proper notice—only if a Court has reviewed the case (on or after August 13, 2020) and authorized the eviction to proceed. Absent such a Court decision, City marshals shall not submit a warrant

¹ It is anticipated that DRP-214 will be updated to reflect the issuance of Executive Order 202.57 on August 21, 2020.

requisition to the Court, and shall not take any other action on a previously ordered judgment of possession.

All commercial eviction proceedings commenced prior to March 17, 2020: Executive Order 202.57 of August 21, 2020, extends the suspension of proceedings and the enforcement of an eviction of a commercial tenant for nonpayment, through September 20, 2020. It is anticipated that the Court will issue further directives regarding commercial eviction procedures. In the meantime, and until further notice, marshals shall not engage in any commercial eviction proceeding, or take any enforcement action of any commercial eviction.

If Executive Order 202.57 expires without renewal, it is anticipated that commercial evictions may resume on September 21, 2020, consistent with the procedures outlined in DRP-213 (or any superseding DRP). Under DRP-213 as currently issued, beginning on September 21, 2020, in a commercial proceeding, city marshals will be permitted to requisition a warrant of eviction based on a judgment of possession issued before March 17, 2020, and to execute on any valid warrant of eviction.

Should you require further clarification, please contact the Court for guidance.

Thank you for your cooperation.

Caroline Tang-Alejandro
Director, Bureau of City Marshals