

ROCHESTER CITY COURT  
COUNTY OF MONROE

STATE OF NEW YORK

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Petitioner,

vs.

**NOTICE OF PETITION AND  
PETITION TO RECOVER  
POSSESSION OF PREMISES  
FOR NONPAYMENT OF RENT**

Respondents.

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***TO:***

Respondents now in possession or claiming possession of the following premises:

**ADDRESS**

**TAKE NOTICE** that a hearing to recover possession of the premises will be held on \_\_\_\_\_ before the Rochester City Court, located at 99 Exchange Street, Rochester, New York 14614, County of Monroe, State of New York.

**TAKE FURTHER NOTICE** that if Respondents shall fail at such time to interpose and establish any defense that Respondents may have to the petition, Respondents may be precluded from asserting such defense, or the claim on which it is based, in any other action or proceeding.

**TAKE FURTHER NOTICE** that demand is hereby made that you make an answer to the petition at least ten days before the aforesaid date by serving said Answer upon Boylan Code LLP, attorneys for the Petitioner pursuant to RPAPL 732(3).

**TAKE FURTHER NOTICE** that demand is made in the petition for judgment against you for Rent due in the sum of \$\_\_\_\_\_, plus additional Rent that becomes due from the date of this petition through the execution of the warrant; attorneys fees as awarded by the Court in

the requested amount of \$\_\_\_\_; an award of possession of the premises, a warrant of eviction, and for such additional relief as is proper, including judgment for costs and disbursements of this proceeding.

Dated: July 1, 2020

**BOYLAN CODE LLP**

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Jaime Michelle Cain, Esq.  
*Attorneys for Petitioner*  
Culver Road Armory  
145 Culver Road  
Rochester, New York 14620  
585.232.5300



MONTH	RENT
April 2020	
May 2020	
June 2020	

8. As a result, there is justly due and owing to the Petitioner from the Respondents the sum of \$\_\_\_\_\_ in Rent.

9. A copy of the required 5-day notice sent on \_\_\_\_\_ pursuant to RPL 235-e(d) is attached hereto with proof of certified mailing receipt as **Exhibit "B"**.

10. Respondent \_\_\_\_\_ was served with a 14-day Notice to Quit pursuant to RPAPL 711(\_\_\_\_) \_\_\_\_\_, and Respondent \_\_\_\_\_ was served pursuant to RPAPL 711(\_\_\_\_), by serving the papers to \_\_\_\_\_. A copy of the Notice to Quit and the Affidavit of services are attached hereto as **Exhibit "C"**.

11. Petitioner reserves the right to amend its petition to request Rent that becomes due during the pendency of this action, through the execution of the warrant.

**WHEREFORE**, Petitioner requests judgment for Rent in the amount of \$\_\_\_\_\_ plus attorneys' fees in the sum of \$\_\_\_\_\_.00 or such other amount awarded by the court, plus Rent that becomes due during the pendency of this action through the execution of the warrant; an award of possession of the premises, a warrant of eviction, and such additional relief as is proper, including the costs and disbursements of this proceeding.

Dated: July 1, 2020

BOYLAN CODE LLP

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Jaime Michelle Cain, Esq.  
*Attorneys for Petitioner*  
 Culver Road Armory  
 145 Culver Road  
 Rochester, New York 14620  
 585.232.5300

STATE OF NEW YORK)  
COUNTY OF MONROE) ss.:

\_\_\_\_\_ being duly sworn, deposes and says that deponent is the  
Petitioner/owner in this proceeding; that deponent has read the petition and knows the contents  
thereof; that the same is true to deponent's own personal knowledge except as to those matters  
contained therein stated to be alleged upon information and belief, and as to those matters,  
deponent believes them to be true.

\_\_\_\_\_

Sworn to before me on  
\_\_\_\_\_, 2020

\_\_\_\_\_

Notary Public