



State of New York  
**UNIFIED COURT SYSTEM**  
**SUFFOLK COUNTY**  
**DISTRICT ADMINISTRATIVE JUDGE'S OFFICE**  
**JOHN P. COHALAN, JR. COURT COMPLEX**  
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**LAWRENCE K. MARKS**  
Chief Administrative Judge

**ANDREW A. CRECCA**  
District Administrative Judge  
Suffolk County

**VITO C. CARUSO**  
Deputy Chief Administrative Judge  
Courts Outside New York City

**WARREN G. CLARK, ESQ.**  
District Executive

### **M E M O R A N D U M**

**TO:** Suffolk County Legal Community

**FROM:** Hon. Andrew A. Crecca, District Administrative Judge

**DATE:** January 25, 2021

**RE:** Hardship Declarations in Foreclosure Matters

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Please be advised that pursuant to the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (effective December 28, 2020)(the "Act"), all pending residential foreclosure actions are immediately stayed for sixty days (i.e., through February 27, 2021).

The Act further provides that where a mortgagor/owner submits to the foreclosing party or the court a declaration attesting to hardship arising from or during the COVID-19 pandemic, proceedings will be further stayed (or commencement tolled) until May 1, 2021. Additional information as well as a copy of a blank Hardship Declaration is available at: <https://www.nycourts.gov/covid-eeffa.shtml>.

Pursuant to Administrative Order 03-21 (copy attached), plaintiff's counsel on foreclosure matters are required to "promptly" upload to NYSCEF or file with the Supreme Court Clerk's office any Hardship Declarations received by the foreclosing party or an agent of the foreclosing party from a mortgagor/owner.

The Act also sets forth procedures for matters in which a Judgment of Foreclosure and Sale has already been granted but where no sale has taken place. The Act also sets requirements to commence new residential foreclosure proceedings. This information is available at the above website.

Finally, please note that all previously scheduled foreclosure auctions have been cancelled. Please check the Suffolk County Courts Foreclosure website at: <http://ww2.nycourts.gov/admin/OPP/foreclosures.shtml> in the near future for more information regarding auctions.

AAC:dah  
Attachment

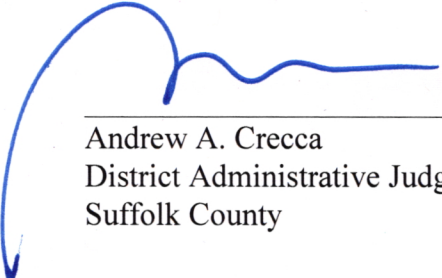


**UNIFIED COURT SYSTEM  
OFFICE OF DISTRICT ADMINISTRATIVE JUDGE  
SUFFOLK COUNTY**

**ADMINISTRATIVE ORDER OF THE  
ADMINISTRATIVE JUDGE OF SUFFOLK COUNTY**

**ORDER NO. 03 - 21**

Pursuant to the authority vested in me, and in accordance with the requirements of the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (the "Act") (L. 2020, c. 381, effective December 28, 2020) and Administrative Order AO/341/20 of Chief Administrative Judge Lawrence Marks dated December 31, 2020, it is hereby ordered that effective immediately, plaintiff's counsel on all residential foreclosure matters shall be required to promptly file with the court any Hardship Declaration as defined in the Act received by the foreclosing party or an agent of the foreclosing party from a mortgagor/owner. If the matter is e-filed, the Hardship Declaration must be uploaded to New York State Courts Electronic Filing system (NYSCEF). If the matter is not e-filed, the Hardship Declaration must be filed with the Supreme Court Clerk's Office located at 1 Court Street, Riverhead, New York 11901.



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Andrew A. Crecca  
District Administrative Judge  
Suffolk County

DATED: January 25, 2021  
Central Islip, New York