

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of

WESTVIEW TASKFORCE, INC. and JANET M. SHEA,
YADIRA CERRATO, HIRAM JACOBS, VIRGINIA
CHAMBERS and PETER ALBER, on behalf of Westview
Taskforce, Inc., the official Tenants' Association for the
buildings located at 595 and 696 Main Street, Roosevelt
Island,

Petitioners,

For a Judgment Pursuant to Article 78 of the Civil Practice
Law and Rules

-against-

THE STATE OF NEW YORK DIVISION OF HOUSING
AND COMMUNITY RENEWAL, ASSISTANT
COMMISSIONER RICHMOND MCCURNIN and
NORTHTOWN PHASE III ASSOCIATES, LP and NORTH
TOWN PHASE III HOUSES, INC.,

Respondents.

Index No. 113635/09

**AFFIDAVIT OF
FINANCIAL HARDSHIP**

STATE OF NEW YORK)
 :
COUNTY OF NEW YORK)

I, _____, first being duly sworn, depose and

says:

1. I am currently a Westview tenant residing at _____ Main Street, Apt. _____,
New York, New York 10044.

2. Paying the 14.9% increase in rent at Westview, which became effective
September 1, 2009, presents a financial hardship for myself and/or my family.

INSTRUCTIONS FOR FILLING OUT “AFFIDAVIT OF FINANCIAL HARDSHIP”

Tenants who accurately complete the Affidavit of Financial Hardship may be the subject of a temporary restraining order by the Court that will permit them to legally withhold payment of the rent increase that was applied to their rent on September 1, 2009. It is important to note the following:

- (1) This affidavit is a sworn statement to the court and is subject to the laws prohibiting perjury – every statement you make on this form must accurately describe the truth as you know it to be;
- (2) If you complete this form and are permitted to withhold paying the rent increase, it does not relieve you of your obligation to pay your pre-rent increase rent (i.e. your rent prior to September 1, 2009) in full and on time;
- (3) If you complete this form and are permitted to withhold paying the rent increase, you may nevertheless be required to pay the full amount of the rent increase you have withheld, or a portion thereof, when the case is decided by the court (*whether or not a tenant executes this Affidavit will have no bearing on the treatment (s)he receives when this case is decided*);
- (4) This Affidavit should only be completed by those for whom paying the rent increase would create a “financial hardship”, which means that you cannot pay the increase without it causing you and/or your family to suffer in some meaningful way (such as not being able to pay other necessary living expenses). “Financial hardship” does not mean that you would simply prefer not to pay the increase; and
- (5) Only one affidavit should be submitted per apartment; however, if relevant, the affiant should discuss the economic circumstances of other residents of the apartment (for example, if a husband and wife both lost their jobs in the past year, both should be mentioned) as well as the harmful effects paying the rent increase would have on any or all of residents.

INSTRUCTIONS:

- On the first line, in the blank space, please print your full name.
- On line “1”, please fill in your building number and apartment number where indicated.
- On line “3”, in the space provided, please explain why paying the rent increase presents a financial hardship for yourself and/or your family. These can include things like you lost your job, you only have a part time job or had to get a new job that pays a lot less than your old one, or that you were barely able to pay the previous rent due to your level of income. Try to be as specific as you can.
- On line “4”, if you have any documents in your possession that you are attaching to the affidavit as evidence of your financial hardship, please identify them in the space provided.
- When you are done filling out the form, DO NOT SIGN IT. Take it to a notary public (every bank branch has one) and ask to have it notarized. You will then be asked to sign the document in front of the notary and to provide him/her with picture identification that proves your identity. The cost for using the notary will not be more than \$3.
- Once the document has been signed, please place it in the envelope provided, seal it, and drop it in the Westview Taskforce, Inc. box in the lobby. **The affidavit will be treated as highly confidential and will be shown only to those persons required by the court.**

THIS AFFIDAVIT MUST BE COMPLETED IN FULL, NOTARIZED AND RETURNED TO THE WESTVIEW TASKFORCE, INC. BOX IN THE LOBBY BY NO LATER THAN OCTOBER 22, 2009

(UNLESS HIGHLY-EXCEPTIONAL EXTENUATING CIRCUMSTANCES EXIST, SUCH AS BEING HOSPITALIZED OR OUT OF TOWN FOR ALL OR NEARLY ALL OF THE ALLOTTED TWO WEEK COMPLETION PERIOD)