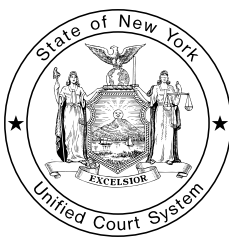


NOTICE TO COMMERCIAL TENANT:

If you have lost significant revenue or had significantly increased costs during the COVID-19 pandemic, and you sign and deliver this hardship declaration form to your landlord, you may be protected from eviction until at least January 15, 2022 for nonpayment of rent or for holding over after the expiration of your lease.

If your landlord files an eviction against you and you provide this form to the landlord or the court, proceedings will be postponed until January 15, 2022 unless your landlord moves to challenge your declaration of hardship. If the court finds your hardship declaration valid, the eviction proceeding will be postponed until after January 15, 2022. While the eviction proceeding is postponed, you may remain in possession of your unit. You may still be evicted violating your lease by intentionally causing significant damage to the property or persistently and unreasonably engaging in behavior that substantially infringes use and enjoyment of other tenants or occupants causes a substantial safety hazard to others.

If your landlord has provided you with this form, your landlord must also provide you with a mailing address and e-mail address to which you can return this form. If your landlord has already started an eviction proceeding against you, you can return this form to either your landlord, the court, or both at any time. You should keep a copy or picture of the signed form for your records. You will still owe any unpaid rent to your landlord. To the extent you can pay less than the full rent, it is recommended you do so and keep careful track of what you have paid and any amount you still owe.



Index Number (if known/applicable): _____

County and Court (if known/applicable): _____

COMMERCIAL TENANT'S DECLARATION OF HARDSHIP DURING THE COVID-19 PANDEMIC

I am the owner, chief executive officer, president, or similar officer of (name of business),

in which is a commercial tenant at (address of commercial unit).

My business is resident in New York state, independently owned and operated, not dominant in its field, and employs one hundred or fewer persons. My business is experiencing financial hardship, and is unable to pay the rent in full or other financial obligations under the lease in full or obtain an alternative suitable commercial property because of one or more of the following:

1. Significant loss of revenue during the COVID-19 pandemic.
2. Significant increase in necessary expenses related to providing personal protective equipment to employees or purchasing and installing other protective equipment to prevent the transmission of COVID-19 within the business.
3. Moving expenses and difficulty in securing an alternative commercial property make it a hardship for the business to relocate to another location during the COVID-19 pandemic. To the extent the business has lost revenue or had increased expenses, any public assistance the business has received since the start of the COVID-19 pandemic must not fully make up for the business's loss of revenue or increased expenses, and the business still meets the aforementioned eligibility criteria to qualify for a financial hardship.

I understand that the business must comply with all other lawful terms under my tenancy, lease agreement or similar contract. I further understand that lawful fees, penalties or interest for not having paid rent in full or met other financial obligations as required by my tenancy, lease agreement or similar contract may still be charged or collected and may result in a monetary judgment. I further understand that my landlord may request a hearing to challenge the certification of hardship made herein, and that I will have the opportunity to participate in any proceedings regarding the tenancy. I further understand that my landlord may be able to seek eviction after January 15, 2022, and that the law may provide certain protections at that time that are separate from those available through this declaration. I understand that I may be eligible to receive financial assistance from the State of New York under the Pandemic Small Business Recovery Grant Program or similar relief program, and that I may visit <https://esd.ny.gov/business-pandemic-recovery-initiative> to receive additional information or call 877-721-0097 for assistance.

Signed: _____

Printed name: _____

Date signed: _____

NOTICE: You are signing and submitting this form under penalty of law. That means it is against the law to make a statement on this form that you know is false.