

April 28, 2020

Pace-NRDC Food Law Initiative

The following chart summarizes New York State relief efforts that may be helpful to farmers during the COVID-19 pandemic. Each topic has an “Overview” of the legislation or relief effort as well as “Action Steps for Relief” indicating what farmers can do to receive the benefits listed. More information about federal relief efforts, grants, and access to market opportunities can be found at: <https://law.pace.edu/pace-nrdc-food-law-initiative>.

STATE	TOPIC	SUBTOPIC	SUMMARY
1. New York	Essential Services	Farmer's Markets ¹	<p>Overview:</p> <p>New York has deemed farmer's markets to be essential retail services, which allows them to operate during the outbreak. Farmer's markets must continue to comply with Department of Health guidelines and are urged to maintain social distancing measures to the extent possible.</p> <p>Action Steps for Relief:</p> <p>The latest updates on mass gathering and essential services as they relate to agriculture are available at:</p> <p>https://agriculture.ny.gov/coronavirus.</p>

¹ See “Guidance for Determining Whether a Business Enterprise is Subject to a Workforce Reduction Under Recent Executive Orders” available at: <https://esd.ny.gov/guidance-executive-order-2026>

STATE	TOPIC	SUBTOPIC	SUMMARY
		Agricultural Businesses /Farms ²	<p>Overview:</p> <p>New York has determined that food-producing agricultural businesses and farms are essential manufacturing, which allows them to operate during the outbreak. Farms and agricultural businesses must continue to comply with Department of Health guidelines and are urged to maintain social distancing measures to the extent possible.</p> <p>Action Steps for Relief:</p> <p>See the action steps in the cell above.</p>
2.	New York	Unemployment Insurance	<p>Overview:</p> <p>Unemployment insurance is not typically available to farmers, but New York has issued guidance that, under the federal Pandemic Unemployment Assistance program farmers who are not working due to COVID-19 will be able to apply for up to 39 weeks of federal assistance through the state-run portal.</p> <p>Action Steps for Relief:</p>

² See “Guidance for Determining Whether a Business Enterprise is Subject to a Workforce Reduction Under Recent Executive Orders” available at: <https://esd.ny.gov/guidance-executive-order-2026>

³See “Pandemic Unemployment Assistance” available at: <https://www.labor.ny.gov/pressreleases/2020/april-20-2020-1.shtm>.

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			Applications can be submitted online at www.unemployment.labor.ny.gov and can also be completed over the phone at 1-888-209-8124.
3. New York	Mortgages	Emergency Relief for Residential Mortgages ⁴	<p>Overview:</p> <p>Following an executive order from NY Governor Cuomo, the New York State Department of Financial Services issued an emergency regulation requiring certain banks (regulated under NY law) to:</p> <ul style="list-style-type: none"> • Provide applications for forbearance on residential mortgage payments to individuals who reside in NY and are able to demonstrate financial hardship due to COVID-19; and • Grant forbearance for a period of ninety (90) days to individuals who successfully complete the application (subject to certain bank regulations).

⁴ See “NYDFS, DFS Issues New Emergency Regulation Requiring New York Regulated Financial Institutions to Provide Financial Relief to New Yorkers Demonstrating Financial Hardship from Covid-19 Pandemic,” (March 24, 2020) available at: https://www.dfs.ny.gov/reports_and_publications/press_releases/pr202003241; see also https://www.dfs.ny.gov/system/files/documents/2020/03/re_new_pt119_nycrr3_text.pdf

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			<p>Note that this emergency regulation is limited and does not apply to any of the following:</p> <ul style="list-style-type: none"> • Commercial mortgage or any other loan not described in the regulation; or • Mortgage loans made, insured, or securitized by: <ul style="list-style-type: none"> ○ Any agency or instrumentality of the United States; ○ Any Government Sponsored Enterprise; ○ Federal Home Loan Banks; or ○ Servicers for the Government National Mortgage Association. <p>Action Steps for Relief:</p> <p>Individuals who need mortgage relief in New York may contact their mortgage servicer to check their eligibility and submit an application.</p>
4.	New York	Rent/Evictions	Rent/Evictions ⁵

⁵ See "Attorney General James Issues Tenant Guidance for New Yorkers During Coronavirus Pandemic" available at: <https://ag.ny.gov/press-release/2020/attorney-general-james-issues-tenant-guidance-new-yorkers-during-coronavirus>.

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			<p>The Attorney General of New York, Letitia James, has clarified that, beginning March 20, 2020, all evictions across New York State will be suspended until June 19, 2020.</p> <ul style="list-style-type: none"> • In New York State, no County Sheriff, City Marshal or City Constable may currently perform an eviction, even if there is an existing warrant. • There has been no suspension of rent payments in New York. <p>Action Steps for Relief:</p> <p>If an individual thinks they are the subject of a wrongful eviction, they may wish to consult the following page with relevant contact numbers: https://ag.ny.gov/press-release/2020/attorney-general-james-issues-tenant-guidance-new-yorkers-during-coronavirus.</p>
		Ongoing housing court proceedings ⁶	<p>Overview:</p> <p>The Attorney General clarified that:</p>

⁶ See "Guidance on Coronavirus Resources and Warnings about Consumer Scams" available at: <https://ag.ny.gov/coronavirus#housingrights>.

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			<ul style="list-style-type: none"> • No new or pending eviction cases will move forward, and foreclosure auctions have been suspended until further notice; • NYC Housing Courts will still process emergency applications including those related to illegal lockouts or serious emergency housing code violations; and • Outside of New York City, local courts are closed for all nonessential civil litigation, so rent demands and other notices from landlords will not require a court appearance. <p>Action Steps for Relief: Information on New York court closures and re-openings is available at: https://www.nycourts.gov/.</p>
5.	New York	Debt Collection	<p>Overview: The Attorney General has:</p> <ul style="list-style-type: none"> • Suspended collection of certain medical and student debt owed to the State of New York

⁷ See "Guidance on Coronavirus Resources and Warnings about Consumer Scams" available at: <https://ag.ny.gov/coronavirus#housingrights>.

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			<p>between March 16, 2020 until at least May 17, 2020 (at which point the need for further suspension will be assessed);</p> <ul style="list-style-type: none"> • Halted the accrual of interest and collection fees on medical and student debt owed to New York; • Ensured that eligible debt holders are not penalized for taking advantage of the program; and • Started accepting applications for discretionary suspension on other types of debt owed to the State of New York. <p>Action Steps for Relief:</p> <p>An application for discretionary suspension of New York debts can be completed at: https://ag.ny.gov/covid-19-debt-suspension-application or by phone at 1-800-771-7755. For updates on student or medical debt owed to New York, individuals may consider checking for updates at: https://ag.ny.gov/coronavirus</p>

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6.	New York	NY Taxes	Individuals, fiduciaries, and corporations ⁸	<p>Overview: New York State has moved the due date for personal income tax and corporation tax returns from April 15, 2020 to July 15, 2020.</p> <p>Action Steps for Relief: More information is available at: https://www.tax.ny.gov/pdf/notices/n20-2.pdf.</p>
			Sales and Use Taxes ⁹	<p>Overview: New York has granted an extension for individuals who were required to file or pay quarterly or annual sales or use taxes on March 20, 2020 and was unable to do so due to COVID-19, and the individual may be eligible to have the penalty and interest waived.</p>

⁸ See "Announcement Regarding Relief from Certain Filing and Payment Deadlines due to the Novel Coronavirus, COVID-19 N-20-2" available at: <https://www.tax.ny.gov/pdf/notices/n20-2.pdf>.

⁹ See "Announcement Regarding Relief from Certain Filing and Payment Deadlines due to the Novel Coronavirus, COVID-19 N-20-1" <https://www.tax.ny.gov/pdf/notices/n20-1.pdf>.

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			<p>Note that eligible individuals must still file and pay the amount within 60 days of the original due date.</p> <p>Action Steps for Relief:</p> <p>Applications for extensions can be submitted using the following web portal:</p> <p>https://www.tax.ny.gov/press/alerts/sales-tax-relief-for-covid-19.htm.</p>
7.	New York	Financial Institution Relief	<p>Overview:</p> <p>The New York State Department of Financial Services issued an emergency regulation requiring certain banks (regulated by NY law) to eliminate:</p> <ul style="list-style-type: none"> • ATM fees; • Overdraft fees; and • Credit card late payment fees for any individual who demonstrates financial hardship as a result of the COVID-19 pandemic. <p>Action Steps for Relief:</p>

¹⁰ See "Governor Cuomo Signs Executive Order Mandating Businesses that Require In-Office Personnel to Decrease In-Office Workforce by 75%" available at: <https://www.governor.ny.gov/news/governor-cuomo-signs-executive-order-mandating-businesses-require-office-personnel-decrease>.

STATE	TOPIC	SUBTOPIC	SUMMARY
			If an individual that uses a New York bank and has not been granted the relief above, that person may consider contacting their local branch.

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