

Frequently Asked Questions: *Process Server Individual Exam*

Under New York City law, individuals must pass an exam to get or to renew a Process Server Individual license.

GENERAL QUESTIONS

What does the exam cover?

The exam covers City and State laws and rules that you must know in order to serve process legally and properly. Questions test your understanding of how these requirements are applied in your everyday experience. See below for a sample question.

What's the format of the exam?

The exam consists of 30 multiple choice questions. Here's a sample question:

You have been assigned to serve a petition in proceeding in Landlord/Tenant court. The landlord is seeking to regain the entire apartment building from squatters. You can:

- a. Post one notice and one petition on the common entrance to the building*
- b. Serve the occupants of the three apartments separately*
- c. Serve either by (a) or (b) because the occupants created the living arrangements themselves and the petition seeks possession of the entire building*
- d. (a) only*

The correct answer is (c). (See New York Real Property Actions and Proceedings Law (RPAPL) Sec. 735. MANNER OF SERVICE; FILING; WHEN SERVICE COMPLETE)

I have a disability and would like to make special arrangements for the exam. Whom should I contact?

If you have a disability which will interfere with your ability to take the test without special accommodations, you must send a request **before the exam date** that includes:

- The specific nature of your disability
- A justification for the special accommodations
- A statement corroborating your disability by a doctor or agency authorized for this purpose

Send requests to specialrequests@dca.nyc.gov or call (212) 487-4208 immediately.

I received my Exam Admission Letter from DCA but cannot take the exam at my scheduled time. Whom should I contact?

If you cannot take the exam on your scheduled date for the reasons listed below, e-mail specialrequests@dca.nyc.gov or call (212) 487-4208 immediately.

- *Religious observance*
- *Currently serving in the military*

What's a passing grade?

To pass the exam, you must answer at least 21 questions correctly.

What happens if I fail the exam?

You can schedule an appointment to retake the exam. However, if you fail the exam two times, you must pay the license fee and the exam fee again in order to retake the exam.

PREPARING FOR THE EXAM

DCA prepared Educational Materials for Process Servers that include the following:

- *New York City Laws and Rules regarding Process Servers*
- *New York General Business Law*
- *New York Civil Practice Law and Rules*
- *New York Domestic Relations Law*
- *New York Real Property Actions and Proceedings Law*
- *New York Business Corporation Law*

Important: *These materials include relevant City and State laws and rules you need to know to serve process properly. They are not a “study guide” exclusively for the exam. You can download materials from the DCA Web site at nyc.gov/processservers or call 311 and request the Process Server Individual license application packet which includes these educational materials.*

Are DCA's Educational Materials for Process Servers the only materials I need to study before the exam?

No. Although these materials will help as you prepare for the exam, you should consult other resources, which may include:

- Attorneys and agencies for whom you work
- Relevant professional associations (to obtain training and other materials)
- New York State Unified Court System Public Access Law Libraries:
<http://www.nycourts.gov/lawlibraries/publicaccess.shtml>
- New York Civil Practice and Landlord-Tenant Practice:
 - McKinney's New York Civil Practice Law and Rules
 - New York Practice by David D. Siegel
 - New York Practice Series - Landlord and Tenant Practice in New York

The Educational Materials are dense. How can I review them most effectively?

Materials reflect how final City law and rules are published in *The City Record*. Please note the following as you read:

- Underlined text = text that has been added and/or updated
- Brackets [] = text that has been deleted

Here's an example:

(6) Process servers shall retain each record required to be kept under this § 2-233(a) for a period of [seven] three years from the date of service. Where a process server is employed as a process server by any person, a copy of such records shall also be maintained by such person at his principal office in this state for the same period.

Note that:

- [seven] is deleted text
- three is added text

The period of time each record must be maintained changed from seven years to three years.