

Patricia Hodge

Tenant(s) Petitioner(s)

-against-

90 West Street, LLC  
90 West Street, NYC  
Owner(s)/Respondent(s) and  
The Dept. of Housing Preservation and Development (DHPD)

**ORDER TO SHOW CAUSE  
FOR A FINDING OF HARASSMENT  
and FOR A RESTRAINING ORDER  
(H.P. Action)**

Premises:

90 West Street, Apt # 18 U  
(Street Address & Apt./Room No.)  
New York, New York 10006  
(Borough & Zip Code)

Upon the Verified Petition of the above named Petitioner(s), sworn to on April 24, 2015

Let the Respondent(s) or Respondent's attorney(s) show cause (tell the judge) at the:

**Civil Court of the City of New York, Housing Part:**

Located at **Part B Room 1166**

On: **111 Centre St., NY, NY 10013**

at 9:30 A.M.,

or as soon as everyone can be heard, why an Order should not be made:

- a) finding that the Respondent(s) has/have harassed Petitioner(s) pursuant to Section 27-2005[d] of the Administrative Code of the City of New York;
- b) determining that a class c violation existed at the time the harassment occurred;
- c) restraining the Respondent(s) from violating Section 27-2005[d] and directing the Respondent(s) to ensure that no further violation occurs;
- d) imposing civil penalties upon the Respondent(s) in an amount not less than one thousand dollars and not more than five thousand dollars for each dwelling unit in which the Petitioner(s) have been the subject of a violation of 27-2005[d]; and
- e) awarding such other and further relief as this court deems just and proper.

Service of a copy of this Order, together with the annexed Verified Petition, on the Respondent(s) (by Certified Mail, Return Receipt Requested/personally) and the Department of Housing Preservation and Development by Certified Mail, Return Receipt Requested, on or before \_\_\_\_\_, as permitted by Section 27-2115 (j) of the Administrative Code, will be considered good and sufficient. Proof of the service can be filed in the Clerk's Office of the Housing Part before the return date of this Order to Show Cause, or on the date of trial with the Clerk in the Part indicated above.

If the Respondent(s) is/are registered with the Department of Housing Preservation and Development, personal service or mailing may be made to the Respondent(s) at the address indicated in such registration.

Mailing to the DHPD must be made to this address:  
Department of Housing Preservation and Development  
Housing Litigation Bureau  
100 Gold Street  
New York, NY 10038

April 24, 2015  
Date

\_\_\_\_\_  
Judge, Housing/Civil Court

*Dept. of Housing Preservation and Development  
Housing Litigation Bureau  
100 Gold Street  
New York, NY 10038  
5/11/15  
100 Gold Street  
New York, NY 10038*

Civil Court of the City of New York

County of New York  
Housing Part B

Index Number 6080/15

Patricia Hodge

Tenant(s)/Petitioner(s)

**VERIFIED PETITION  
IN SUPPORT OF AN  
ORDER TO SHOW CAUSE**

Requesting an Order Finding  
Harassment and Restraining Respondent(s)  
From Harassing Tenant(s)/Petitioner(s)  
(Section 27-2115 Administrative Code of  
the City of New York)

90 West Street, LLC

Owner(s)/Respondent(s), and

The Dept. of Housing Preservation and Development (DHPD)

90 West Street

(Address of Tenant/Petitioner)

New York, NY 10006 Apt./Rm. # 18 U

**PETITION**

1. I, Patricia Hodge, the Petitioner, am the tenant person lawfully  
entitled to possession of the above apartment/room.

2. The Respondent (s) is/are the owner(s) or agent(s) of the owner of the apartment/room.  
The address of the Respondent(s) is: 90 West Street, Second Floor  
New York, New York 10006

3. Check One

- I do not live in a one or two family house.
- The apartment/room is in a one or two family house but there are more than two families living in the house or building.

4. I am not a shareholder or condominium owner living in the apartment. I am not a person lawfully entitled to live with such shareholder or condominium owner.

5. In accordance with the Administrative Code of the City of New York section 27-2005[d] I make the following statements: The Respondent has or a person/persons on his/her behalf has/have:

- a) Violated the Administrative Code of the City of New York Section 27-2005[d] by causing or intending to cause the tenant/petitioner to move out of the above mentioned apartment/room or to give up or waive any rights to such apartment/room, and
- b) The Respondent has or a person/persons on his/her behalf has/have:

Check any boxes that are correct

- used force or said they would use force or implied the use of force.
- repeatedly interrupted or stopped giving essential services and a violation of record was issued.
- failed to timely comply with NYC Admin. Code §27-2140[c] by failing to correct the conditions which made the apartment(s)/room(s) unlivable or unfit for habitation, which are described in the Vacate Order issued by DHPD pursuant to NYC Admin. Code §27-2139[b], and a violation of record has been issued for at least one of those conditions.
- repeatedly brought court cases for no good reasons.
- removed my possessions from the apartment.
- repeatedly caused or permitted acts or omissions that substantially interfered with or disturbed the comfort, peace or quiet of the tenant/petitioner. If the acts or omissions involve physical conditions in the apartment/room/public areas, a violation of record was issued.
- removed the door to the apartment or made the lock to the apartment not work, or changed the lock on the apartment door without giving a key to the new lock to the tenant/petitioner.

Complete the following section (2A-2D) if you are also claiming harassment under section 27-2115.

2A. Check One

- I do not live in a one or two family house.
- The apartment is in a one or two family house but there are more than two families living in the house or building.

2B. I am not a shareholder or condominium owner living in the apartment. I am not a person lawfully entitled to live with such shareholder or condominium owner.

2C. In accordance with the Administrative Code of the City of New York section 27-2005[d] I make the following statements: The Respondent has or a person/persons on his/her behalf has/have:

- i) Violated the Administrative Code of the City of New York Section 27-2005[d] by causing or intending to cause the tenant/petitioner to move out of the above mentioned apartment/room or to give up or waive any rights to such apartment/room; and
- ii) The Respondent has or a person/persons on his/her behalf has/have:

Check any boxes that are correct

- used force or said they would use force or implied the use of force.
- repeatedly interrupted or stopped giving essential services and a violation of record was issued.
- failed to timely comply with NYC Admin. Code §27-2140[c] by failing to correct the conditions which made the apartment(s)/room(s) unlivable or unfit for habitation, which are described in the Vacate Order issued by DHPD pursuant to NYC Admin. Code §27-2139[b], and a violation of record has been issued for at least one of those conditions.
- repeatedly brought court cases for no good reasons.
- removed my possessions from the apartment.
- repeatedly caused or permitted acts or omissions that substantially interfered with or disturbed the comfort, peace or quiet of the tenant/petitioner. If the acts or omissions involve physical conditions in the apartment/room/public areas, a violation of record was issued.
- removed the door to the apartment or made the lock to the apartment not work, or changed the lock on the apartment door without giving a key to the new lock to the tenant/petitioner.

Please provide dates and details as to the items you checked above:

*A Hpd Inspection was not performed on:*  
From April 21, 2014 To April 6, 2015, allegedly present,

The LandLord charged me excessive rent, in the amount of: \$2,400.00 per month, For a Hpd Rent stabilized Apartment,

The LandLord, should have charged me 30% or less, for rent, based on my low income. 90 West Street, LLC also refuses, to correct violations, for Public Areas of Elevators and Fire Hydrant,

Window guards. At: 90 West Street, New York, New York 10006 (allegedly)

2D. In accordance with the Administrative Code of the City of New York, I make the following request:

- i. find that owner(s)/respondent(s) has/have harassed me pursuant to 27-2005[d];
- ii. decide that a class c violation existed at the time the harassment occurred;
- iii. order the owner(s)/respondent(s) to stop harassing me under 27-2005[d] and 27-2121;
- iv. order the owner(s)/respondent(s) to pay to the Department of Housing Preservation and Development civil penalties for no less than \$1,000 and not more than \$5,000 for each dwelling unit in which violations are found following 27-2115(m); and
- v. award such other and further relief as this court deems just and proper.

**Prior Relief** Check the box that applies:

- I have /  I have not brought a case to correct violations
- I have /  I have not brought a case in Housing court for harassment

Give index numbers and/or dates 6080/15

Check if requested  The petitioner requests that permission be granted to serve these papers him/herself.

APRIL 24, 2015  
Date

[Signature]  
Signature of Tenant/Petitioner

**VERIFICATION**

State of New York, County of New York, ss.:

Patricia Hodge, being duly sworn, deposes and says:

I am the petitioner named above, I have read the petition and know the truth of the statements except as to those matters alleged to be on information and belief, and as to those matters I believe them to be true.

Sworn to before me this 24 day of April, 2015  
[Signature]  
Signature and Title of Court Employee, or  
Notary Public

[Signature]  
Signature of Tenant/Petitioner

7014 2870 0000 1545 1566

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At + Mrs. Liz Ales  
90 West Street LLC  
90 West Street, Second Floor  
New York, New York 10006  
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PS Form 3800, July 2014  
See Reverse for Instructions

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Dept. of Housing Preservation and  
Development, Landlord Tenant Litig. Div.  
100 Old Street, Third Floor  
New York, New York 10038  
City, State, ZIP+4

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