

Part 13

DECISION/ORDER

Recitation, as required by CPLR §2219 (a), of the papers considered in the review of this Motion:

Papers	Numbered
Notice of Motion and Affidavits Annexed.....	_____
Order to Show Cause and Affidavits Annexed	_____
Answering Affidavits	_____
Replying Affidavits.....	_____
Exhibits	_____
Other.....	_____

Patricia Hodge
 Claimant(s)/Plaintiff(s)/Petitioner(s)
 against
go west st LLC
 Defendant(s)/Respondent(s)

Upon the foregoing cited papers, the Decision/Order on this Motion to _____

is as follows:

2
 Petitioner alleges that there ~~is~~ is a violation for the elevator of the building. However petitioner has no proof that there is a violation nor can the court verify that there is a violation.

This proceeding is marked off calendar and petitioner may restore this proceeding with proof of a violation.

4/17/15
Date

HON. SHERRY J. GONZALES
 Judge, Civil Court, Housing Pt

B

35F

ORDER TO SHOW CAUSE TO RESTORE TO THE CALENDAR

HODGE PATRICIA
90 WEST STREET LLC AGAINST PETITIONER(S),
RESPONDENT(S) PREM: SES:
90 WEST ST 2 FL
NEW YORK NY 100060000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF PATRICIA HODGE,
THE ABOVE NAMED PETITIONER(S), SWORN TO ON APRIL 17, 2015,
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE RESPONDENT(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK
HOUSING PART: PART B, RM. 1166
LOCATED AT: 111 CENTRE STREET NEW YORK
ON: APRIL 28, 2015, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

RESTORING THE CASE TO THE CALENDAR FOR TRIAL ON A DAY CERTAIN
AND/OR GRANTING SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY THE PETITIONER,
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),
ATTORNEY (OR PARTY) MARSHAL:

(JUDGE TO INITIAL) (JUDGE TO INITIAL)
BY PERSONAL SERVICE "IN HAND DELIVERY" BY PERSONAL SERVICE "IN HAND DELIVERY"
BY CERTIFIED MAIL, R. R. R. BY CERTIFIED MAIL, R. R. R.
BY FIRST CLASS MAIL WITH CERTIFICATE BY FIRST CLASS MAIL WITH CERTIFICATE
OF MAILING AT POST OFFICE OF MAILING AT POST OFFICE

ON OR BEFORE 4/21/15, SHALL BE DEEMED GOOD AND SUFFICIENT.
PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

RESPONDENT:
90 WEST STREET LLC
90 WEST ST 2 FL
NEW YORK NY 100060000

MARSHAL:

4/17/15
DATE

CHERYL GONZALES
JUDGE, CIVIL/HOUSING COURT

DATE: 04/17/2015
TIME: 14:10:21

OFFICE OF COURT ADMINISTRATION
- NWK HOUSING COURT INFORMATION SYSTEM -
HISTORY OF PROCEEDINGS

PAGE: 1

CASE: 006080/2015
HODGE PATRICIA VS 90 WEST STREET LLC

NO OF RESP OSC APPL: 0
AMT DMD: \$.00 PETN ATTY:
FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3
03/27/2015 OSC/AFDT HPT VIOLS

PETITIONER:
HODGE PATRICIA

RESPONDENT:
90 WEST STREET LLC

PREMISES ADDRESS:
90 WEST ST 18U
NEW YORK NY 10006

DESCRIPTION:
18U

04/17/2015 001 CLN B 09:30A

04/17/2015 001 OSC BY PETN SIGNED BY CG 04/28/2015 B 09:30A
VACATE JUDGMENT

04/28/2015 001 CLN B 09:30A OSC

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK
HOUSING PART B, RM. 1166
APRIL 28, 2015

INDEX NO. 006080/2015
MOTION SEQUENCE NO.: 001

_____			DECISION/ORDER
HODGE	PATRICIA		
	PETITIONER(S),		
AGAINST			PRESENT:
90 WEST STREET LLC			
	RESPONDENT(S)		CHERYL GONZALES
_____			JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE REVIEW OF THIS OSC TO RESTORE TO THE CALENDAR

PAPERS	NUMBERED
NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....	_____
ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED.....	_____
ANSWERING AFFIDAVITS.....	_____
REPLYING AFFIDAVITS.....	_____
EXHIBITS.....	_____
STIPULATIONS.....	_____
OTHER	_____

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS AS FOLLOWS:

DATE _____ JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

AFFIDAVIT IN SUPPORT OF AN ORDER TO SHOW CAUSE To Restore to the Calendar

Patricia Hodge
Petitioner,

-against-

90 West street, LLC
Respondent

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

Address: 90 West Street
New York, NY 10006 Apt. 18 U

Patricia Hodge, being duly sworn, deposes and says:
[PRINT YOUR NAME]

1. PARTY (Who you are)

[Please place your initials on the line that applies to you]

- P.H. a) I am the tenant named as respondent in the above summary proceeding.
- b) I am not the respondent. I am an adult living in the apartment and have a right to stay in the apartment. I am the _____ of the tenant named above.

[EXPLAIN WHO YOU ARE]

2. TRIAL (What happened the last time you were in court)

On the Date of Trial:

[Please place your initials on the line that applies to you]

- a) a stipulation (a written agreement) was made between the landlord and me.
- b) a trial was held before Judge _____

P.H. c) Other: Respondents didn't sign Consent Order or stipulation.

3. REASON FOR APPLICATION TO RESTORE TO THE CALENDAR: (Why you need a new court date)

I am asking for a new court date because:

The Respondents didn't provide current HPD Inspection Report, dated April 6, 2015. The Landlord refused to correct violations before April 16, 2015, allegedly. I'm requesting HPD 7A manager, to manage 90 West Street NYC 10006 because Landlord is negligent of correcting violations, allegedly.

4. REQUEST

P.H. I am asking for a new court date and permission to deliver these papers in person. I'm also requesting Jury Trial due to disagreement.

5. PRIOR ORDER

[Please place your initials on the line that applies to you]

- a) I have not had a previous Order to Show Cause in this case.
- P.H. b) I have had a previous Order to Show Cause in this case, but I am asking for another court date

because: I didn't receive, a current copy of HPD Inspection Report, and I'm requesting another inspection before Jury Trial.

6. PRIOR CASES

The same landlord and I have been in Housing Court before. The index number(s) for the other case(s) is/are: _____

Sworn to before me this 17 day of April, 2015.

[Signature]
Signature of Court Employee and Title

[Signature]
Signature of Respondent

[SIGN YOUR NAME]

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Sent To **Gutman, Mintz, Baker & Sonnenfeldt, P.C., Attorneys At Law**
 Street & Apt. No., or PO Box No. **813 Jericho Turnpike**
 City, State, ZIP+4 **New Hyde Park, New York 11040**

PS Form 3800, July 2014 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82

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 Street & Apt. No., or PO Box No. **100 Gold Street, Third Floor**
 City, State, ZIP+4 **New York, New York 10038**

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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82

Sent To **90 West Street, LLC**
 Street & Apt. No., or PO Box No. **Attn: Mrs. Liz**
 City, State, ZIP+4 **New York, New York 10006**

7014 3490 0000 0604 6264

