

**Certification**

**STATE OF NEW YORK, COUNTY OF NEW YORK, SS:**

**I, Milton Adair Tingling, County Clerk and Clerk of Supreme Court New York County,**

**do hereby certify that on May 6, 2015 I have compared**

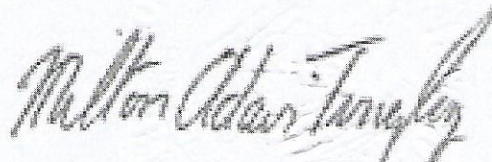
**the document attached hereto,**

**570398/2015 AFFIDAVIT IN SUPPORT WITH EXHIBITS [#5] filed 4/30/2015 page(s)  
1-5.**

**with the originals filed in my office and the same is a correct transcript**

**therefrom and of the whole of such original in witness**

**whereto I have affixed my signature and seal.**



**MILTON ADAIR TINGLING  
NEW YORK COUNTY CLERK**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE TERM, FIRST DEPARTMENT

Patricia Hodge

Petitioner

-against-

Affidavit in Support of Application

Pursuant to C.P.L.R. 5704(b)

90 West Street, LLC

Respondent

APR 28 2015

State of New York, County of New York ss:

Patricia Hodge

being duly sworn deposes and says:

I'm requesting the Administrative Judge, of the Appellate Term, For the First Department, Review my Order To Show Cause Application, Dated: April 28, 2015, Requesting Ex-par te relief, for Default Judgment, against 90 West Street, LLC because they didn't <sup>allegedly</sup> allow the Hpd Inspector access to their Elevators and Fire Hydrants, on scheduled Hpd Inspection Date: April 6, 2015. Judge Cheryl L Gonzales declined to sign this order To show cause, Ex-par te Application, on April 28, 2015. Please grant the Ex-par te relief, I requested.

Sworn to before me  
this 18 day of  
April 2015

Benjamin Steinberg  
Notary

Benjamin Steinberg  
Notary Public, State of New York  
No. 02ST6042685  
Qualified in Bronx County  
Commission Expires May 30, 2018

Patricia Hodge  
PATRICIA HODGE

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

INDEX NO. 006080/2015  
SEQ NO. 006  
NO. OF RESPONDENT  
OSC APPLICATIONS: 000

~~ORDER TO~~ SHOW CAUSE TO RESTORE TO THE B CALENDAR

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

ITT

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF PATRICIA HODGE,  
THE ABOVE NAMED PETITIONER(S), SWORN TO ON APRIL 28, 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: MAY 07, 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 28 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 28 15  
DATE

CHERYL GONZALES  
JUDGE, CIVIL/HOUSING COURT

DENIED  
GENERATED: 04/28/2015 @ 11:00:37

CIV-LT-70 (6/89)

[The body of the document contains extremely faint and illegible text, likely due to low contrast or scanning quality. The text is organized into several paragraphs, but the specific words and sentences cannot be discerned.]

DATE: 04/28/2015  
TIME: 11:00:37

OFFICE OF COURT ADMINISTRATION  
- NWCY 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 HP1 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 OFFC CG CAL

04/17/2015 001 OSC BY PETN DENIED BY CG  
VACATE JUDGMENT

04/21/2015 002 MTN BY PETN 05/04/2015 B 09:30A  
PETN REQUEST RESTORING CASE TO CT CALENDAR.....

05/04/2015 001 CLN B 09:30A MOT

04/24/2015 003 OSC BY PETN DENIED BY DJK  
REQUEST A JURY TRIAL

04/24/2015 004 OSC BY PETN DENIED BY DJK  
REQUEST AN INSPECTION

04/24/2015 005 OSC BY PETN DENIED BY DJK  
RESTORE TO CALENDAR.....

04/28/2015 006 OSC BY PETN SIGNED BY CG 05/07/2015 B 09:30A  
RESTORE TO CALENDAR

05/07/2015 001 CLN B 09:30A OSC

CIVIL COURT OF THE CITY OF NEW YORK

County of New York

Housing Part B

NIF

Index No. LT 6080/15

177

Patricia Hodge

Petitioner,

-against-

90 West Street, LLC

Respondent

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

Address: 90 West Street, Apt #  
New York, NY 10014 Apt. 18 U

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

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: I requested another Hpd Inspection.

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:

I'm filing a Default Judgment, against 90 West Street, LLC, for the amount of: \$28,800.00. Because they didn't give the Hpd and Fire Hydrants, on April 6, 2015, allegedly.

4. REQUEST

P.H. I am asking for a new court date and permission to deliver these papers in person.

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'm seeking Ex-parte Relief CPLR 2213(B), for Default Judgment, against 90 West Street, LLC

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 28 day of April, 2015

[Signature]

[Signature]

Signature of Respondent  
[SIGN YOUR NAME]

Signature of Court Employee and Title

CIV-LT-10 (Revised January, 2011)