

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: HON. SHEILA ABDUS-SALAAM
Justice

PART 13

In the Matter of 445 East 80th Street
Tenants Association

INDEX NO. 110259/06

MOTION DATE 12/1/06*

MOTION SEQ. NO. 001

- v -

The New York State Division of Housing and
Community Renewal

and

Clermont York Associates

*Legal Fees
AWARDED
ABUDEN
3/30/07*

*This judgment has not
been entered and notice of entry
must be obtained by the party
obtain entry, court
appear in person and file
141B).*

MOTION CAL. NO. _____

*Filed, submitted 2/20/07

*County Clerk
To
PAPERS NUMBERED
must
Desk (Room*

The following papers, numbered 1 to _____ were read on this motion to/for

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

Cross-Motion: ☐ Yes ☒ No

Upon the foregoing papers, it is ordered that this petition is granted as
indicated below.

This Article 78 proceeding challenges respondent's order dated
May 26, 2006 which was issued in connection with the petitioners'
complaint seeking a rent reduction based on a claim that there was a lack of
adequate ventilation in various apartments and public areas which
constituted a failure to maintain services (Rent Stabilization Code § 2523.4).
A prior Article 78 proceeding had challenged, among other things,
respondent's determination dated April 8, 2004 with respect to the
ventilation in the building. The details of that determination are set forth in

*Order's
Refusal to
Apply Building
Code Stringent
to Units -
Found AB +
CAPM...*

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):