

INDEX NO. L&T

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX: HOUSING PART H

WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR,
KEVIN BROWN and FIOR D. BATISTA-LORA

Petitioners,

-against-

HEE YANG

Respondent-Owner,
Managing Agent

-and-

NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT ("HPD"),

Co-Respondent

-and-

NEW YORK CITY DEPARTMENT OF BUILDINGS
Co-Respondent

NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Co-Respondent

ORDER TO SHOW CAUSE, VERIFIED PETITION,
EXHIBITS

BRONX LEGAL SERVICES
Ezinwanyi Ukegbu, Esq.
369 East 148th Street, 2nd Floor
Bronx, New York 10455
Tel: (718) 928-3706
eukegbu@lsnyc.org



Signature (Rule 130-1.1-a)
Attorneys for Petitioners

WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA

Petitioners,

-against-

HEE YANG

Respondent-Owner,
Managing Agent

-and-

NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT

Co- Respondent

-and-

NEW YORK CITY DEPARTMENT OF BUILDINGS
Co- Respondent

NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

Co-Respondent

INDEX NO. L&T

ORDER TO SHOW CAUSE

Premises

**1210 Clay Avenue
Bronx, New York 10456**

UPON the annexed Verified Petition dated March 28, 2021, and the exhibits and other papers annexed thereto, and good cause having been shown, it is

ORDERED that Respondents are directed to appear before the Trial Term of the Housing Part of the Civil Court of the City of New York, County of Bronx, Housing Part **K**, located at 1118 Grand Concourse, Bronx, New York 10456, on April 20, 2021 at 10:00a.m or as soon thereafter as the parties or counsel may be heard, and show cause why an order should not be made:

- 1) **FINDING** that the conditions described in this petition and annexed exhibits constitute violations and **DIRECTING** Respondent-Owner, and Respondent-Managing Agent to correct said violations and any new violations that arise during the pendency of this proceeding within the times provided by Section 27-2115(c) of the Administrative Code of the City of New York and or be subject to the civil penalties provided for by Section 27-2115(a) of said Code, and other applicable laws and regulations;
- 2) **ORDERING** Respondent-Owner and Respondent-Managing Agent to provide comparable vacant apartments to Petitioners for occupancy if needed during the course of repairs and until violations are corrected on the premises, or in the alternative, **ORDERING** Co-Respondent, HPD, to provide relocation assistance to Petitioners and for HPD to collect reimbursement for such relocation assistance from Respondent-Owner pursuant to Sections 26-301, 26-305, et seq of N.Y.C. Admin. Code and or other applicable laws;
- 3) **ENJOINING** Respondent-Owner, and Respondent-Managing Agent from permitting said violations to exist and from permitting any new conditions during the pendency of this action to exist which endanger the life, health, and safety of Petitioners;
- 4) **FINDING** that the acts or omissions by Respondent-Owner and Respondent-Managing Agent described in this petition constitute violations of Sections 27-2005(d) and 27-2004(a)(48) of the N.Y.C. Admin. Code and be subject to the civil penalties provided for by Sections 27-2115(a) and 27-2115(m) of the same code and **AWARDING** Petitioners compensatory damages and one thousand dollars for each finding of harassment, punitive damages, and reasonable attorneys' fees and costs under Section 27-2115(o) of the N.Y.C. Administrative Code, and other applicable laws;
- 5) **FINDING** that Respondent-Owner has engaged in unlawful harassment within the meaning of section 27-2004(a)(48) of the Code, in violation of section 27-2005(d) of the Code;
- 6) **ENJOINING** Respondent-Owner from future acts of harassment in violation of Sections 27-2005(d), 27-2004(a)(48), and 27-2115(m)(5) of the N.Y.C. Admin. Code;
- 7) **IMPOSING** upon Respondent-Owner, and Respondent-Managing Agent the civil penalties provided by Section 27-2115(a) of the Administrative Code of the City of New York, 1 RCNY § 11-02(b), and Section 28-202 of the Administrative Code of the City of New York based upon Respondents' violations of the Housing Maintenance Code, Building Code, Construction Code, and other applicable laws; and **ENTERING** a judgment against the Respondent-Owner for the amount of civil penalties imposed by the Court;
- 8) **AWARDING** Petitioners' costs, disbursement, and attorneys' fees for this proceeding; and

9) **GRANTING** such other and further relief as may seem just and proper.

ORDERED that service of a copy of this Order, together with a copy of the papers upon which it is granted, upon all Respondents by certified mail, return receipt requested, or by overnight mail, or by email where indicated below, on or before March 30, 2021, 2021 shall be deemed good and sufficient service; and it is further

ORDERED that such service be made upon RESPONDENT-OWNER HEE YANG at 1210 Clay Avenue, Apt. 4. Bronx New York 10456; and it is further

ORDERED that such service be made upon the MANAGING AGENT at 1210 Clay Avenue, Apt. 4. Bronx, New York, 10456; and it is further

ORDERED that such service be made upon Co-Respondent NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE at 42-09 28th Street, Long Island City, New York 11101; and it is further

ORDERED that such service be made upon Co-Respondent NEW YORK CITY DEPARTMENT OF BUILDINGS at 280 Broadway, 7th Floor., New York, NY 10007; and it is further

ORDERED that such service be made upon Co-Respondent NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT via mail service at its Housing Litigation Bureau, 100 Gold Street, New York, New York 10038; or via email service to Sarah Eddison – eddisons@hpd.nyc.gov; Mirta Yurnet-Thomas yurnetm@hpd.nyc.gov.

ORDERED that proof of service of these papers may be returned on the return date of this action.

ORDERED that the parties may request to appear before the Court by telephone or such other means as this Court may approve, by submitting any such request by electronic mail civbxhs-virtual@nycourts.gov or by calling 718-618-3566 prior to the court date.

Date: March 29, 2021, 2021
Bronx, New York

SO ORDERED

J.H.C.

APPROVED
NJENNING , 3/29/2021, 10:25:03 am

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF THE BRONX: HOUSING PART H**

**WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA**

Petitioners,

-against-

HEE YANG

**Respondent-Owner,
Managing Agent**

-and-

**NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT**

Co-Respondent

-and

**NEW YORK CITY DEPARTMENT OF BUILDINGS
Co- Respondent**

**NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE**

Co- Respondent

INDEX NO. L&T

VERIFIED PETITION

**Premises
1210 Clay Avenue
Bronx New York, 10456**

Petitioners, by their attorneys, BRONX LEGAL SERVICES, petition and allege as follows:

PRELIMINARY STATEMENT

1. Petitioners seek an Order to Correct and imposition of civil penalties for the Respondent landlord's failure to maintain housing quality standards and to correct conditions affecting the life, health, and safety of petitioners within the subject premises. Furthermore, the

landlord has harassed Petitioner tenants by failing to make repairs at the building, and by engaging in abusive conduct that is intended to cause Petitioner tenants to vacate the subject premises.

2. The New York City Department of Housing, Preservation, and Development (“HPD”) has issued a total of 109 violations for the subject premises that include 31 Class A violations, 66 Class B violations, and 12 Class C violations. See Exhibit A.

3. The New York City Department of Buildings (“DOB”) has placed open violations at the building, including three violations for a defective boiler, one of which was issued as far back as May 17, 1993. See Exhibit C.

THE SUBJECT BUILDING AND PARTIES

4. The subject premises for the instant building are located at 1210 Clay Avenue, Bronx New York 10456; upon information and belief, the building contains at least a total of 11 residential units.

5. The individual petitioners set forth below are tenants or lawful occupants entitled to enforce the Housing Maintenance Code under law. Each of the individual petitioners reside in the specified apartments at 1210 Clay Avenue in Bronx County.

6. Petitioner WILLIAM HEIDREDER resides in Apartment 10 of the subject building.

7. Petitioner BOUBABASS MAKADJI resides in Apartment 9 of the subject building.

8. Petitioner LASANNA SISSOKO resides in Apartment 7 of the subject building.

9. Petitioner ABOUBAKAR OMAR resides in Apartment 5 of the subject building.

10. Petitioner KEVIN BROWN resides in Apartment 3 of the subject building.

11. Petitioner FIOR D. BATISTA-LORA resides in Apartment 8 of the subject building.

12. Respondent Owner HEE YANG is the owner of the subject premises pursuant to a deed dated June 2, 1986. See Exhibit B. According to its Multiple Dwelling Building Registration, HEE YANG's address is 1210 Clay Avenue, Apt 4. Bronx, New York 10456. See Exhibit A.

13. The address for the Respondent Managing Agent for the subject premises is listed as 1210 Clay Avenue, Apt. 4. Bronx, New York 10456.

14. Co-Respondent NEW YORK CITY DEPARTMENT OF HOUSING, PRESERVATION, AND DEVELOPMENT ("HPD") is a city agency located at 100 Gold Street, New York, New York 10038.

15. Co-Respondent NEW YORK CITY DEPARTMENT OF BUILDINGS ("DOB") is a city agency whose functions include the enforcement of the New York City Construction Codes, Zoning Resolution, and the New York State Multiple Dwelling Law. DOB's designated address for service of process is 280 Broadway, 7th Floor., New York, NY 10007.

16. Co-Respondent NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE is a city agency charged with enforcing the health and sanitary codes of the City of New York. Their office is located at 42-09 28th Street, Long Island City, New York 11101.

STATUTORY AND REGULATORY FRAMEWORK

A. ORDER TO CORRECT

17. The Housing Part has jurisdiction to enforce the Housing Maintenance Code within Title 27 of the New York City Administrative Code and to enforce housing standards. New York City Civil Court Act § 110(a).

18. An owner of a multiple dwelling must fully comply with the Housing Maintenance Code and has a duty to keep the premises in good repair. See N.Y.C. Admin. Code § 27-2005.

19. Tenants may complain about repair issues and seek an Order to Correct and civil penalties, or HPD may issue a notice of violation and seek civil penalties. See N.Y.C. Admin. Code §§ 27-2115(b), (h).

20. If a violation exists, the owner is required to correct the conditions and file a certification of compliance that the violation has been corrected prior to the certification date provided in the notice of violation. See N.Y.C. Admin. Code § 27-2115(h).

21. Indeed, “[f]ailure to file such certification of compliance shall establish a prima facie case that such violation has not been corrected.” See N.Y.C. Admin. Code § 27-2115(f)(7).

22. For any non-hazardous conditions complained of by the tenants, the Court may issue an Order to Correct if tenants have complained of a condition existing in the subject building or apartments and no violation has been placed after thirty (30) days. See N.Y.C. Admin. Code § 27-2115(h).

23. For any hazardous conditions, the Court may issue an Order to Correct without regard to whether thirty days has passed since the tenants first complained about the condition. See N.Y.C. Admin. Code § 27-2115(i).

B. CIVIL PENALTIES

24. A tenant or group of tenants may also seek to obtain civil penalties against a landlord who was already notified of violations of housing standards and has not certified that the repairs have been made. See N.Y.C. Admin. Code § 27-2115(h).

25. Any owner who violates the housing standards set forth in the New York City Administrative Code and relevant regulations “shall be subject to civil penalties of not less than ten dollars nor more than fifty dollars for each non-hazardous violation, not less than twenty-five dollars nor more than one hundred and ten dollars per day for each hazardous violation . . . and, in

addition, one hundred twenty-five dollars per day for each immediately hazardous violation . . . from the date set for correction in the notice of violation until the violation is corrected.” See N.Y.C. Admin. Code § 27-2115(a).

C. HARASSMENT

26. Pursuant to Paragraph 48, Section 27-2004 of the Administrative Code of the City of New York, “harassment” is defined as any act or omission by or on behalf of an owner that:

- (i) causes or is intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, and
- (ii) includes one or more of the following:
 - a. using force against, or making express or implied threats that force will be used against, any person lawfully entitled to occupancy of such dwelling unit;
 - b. repeated interruptions or discontinuances of essential services, or an interruption or discontinuance of an essential service for an extended duration or of such significance as to substantially impair the habitability of such dwelling unit;
 - c. failing to comply with the provisions of subdivision c of section 27-2140 of this chapter;
 - d. commencing repeated baseless or frivolous court proceedings against any person lawfully entitled to occupancy of such dwelling unit;
 - e. removing the possessions of any person lawfully entitled to occupancy of such dwelling unit;
 - f. removing the door at the entrance to an occupied dwelling unit; removing, plugging, or otherwise rendering the lock on such entrance door inoperable; or changing the lock on such entrance door without supplying a key to the new lock to the persons lawfully entitled to occupancy of such dwelling unit;
 - g. other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause or are intended to cause any person lawfully entitled to occupancy

of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

27. Pursuant to Section 27-2115(m)(2) of the Administrative Code of the City of New York, the court may do the following if harassment is found:

- i. The court may issue an order restraining the owner of the property from continuing to harass the tenant(s) and directing the owner to ensure that no further harassment occurs;
- ii. The court may impose a civil penalty not less than \$1,000 and not more than \$5,000 for each dwelling unit in which a tenant or any person lawfully entitled to occupancy of such unit has been the subject of the harassment;
- iii. The court may provide such other relief as the court deems appropriate.

D. RAT, MICE, AND RODENTS INFESTATION

28. Section 27-2018 of the Administrative Code of the City of New York requires that:

- a. "The owner or occupant in control of a dwelling shall keep the premises free from rodents, and from infestations of insects and other pests, and from any condition conducive to rodent or insect and other pest life.
- b. When any premises are subject to infestation by rodents or insects and other pests, the owner or occupant in control shall apply continuous eradication measures.
- c. When the department makes the determination that any premises are infested by rodents, insects or other pests, it may order such eradication measures, as the department deems necessary."

N.Y.C. Admin. Code § 27-2018.

29. Section 151.02 of the New York City Health Code further requires that all building premises "shall be kept free from rodents, insects and other pests, and from any conditions conducive to pests. The person in control of such premises shall take such measures as may be necessary to prevent and control the harborage and free movement of rodents, insects and other pests."

30. Section 151.04 of the New York City Health Code authorizes the Department of Health and Mental Hygiene, in addition to the City Department of Buildings, Housing Preservation and Development and Sanitation to enforce New York City Health Code Article 151, concerning rodents, insects, and other pests.

E. OTHER INJUNCTIVE RELIEF, INCLUDING TEMPORARY RELOCATION AND MOVING COSTS FOR PETITIONERS.

31. The Court's authority to enforce the maintenance of housing standards is broad.

“Regardless of the relief originally sought by a party, the court may recommend or employ any remedy, program, procedure or sanction authorized by law for the enforcement of housing standards, if it believes they will be more effective to accomplish compliance or to protect and promote the public interest.” New York City Civil Court Act § 110(c); See also N.Y.C. Admin. Code §§ 27-2121.

32. Indeed, section 203(o) of the Civil Court Act authorizes the Housing Part to issue an

“injunction, restraining orders or other orders for the enforcement of housing standards....” Civil Court Act § 203(o).

33. “[T]he court, on motion of any party or on its own motion, may issue such

preliminary, temporary or final orders requiring the owner of property or other responsible person to abate or correct violations of this code, or to comply with an order or notice of the department, or to take such other steps as the court may deem necessary to assure continuing compliance with the requirements of this code, including direction of correction of violations of this code by a contractor, materialman or municipal department....” N.Y.C. Admin. Code §§ 27-2121.

34. To accomplish compliance or to protect and promote the public interest, the Housing Part also may award reasonable costs to relocate a tenant while an owner effects repair. See Farber v. 535 E. 86th St. Corp., 2002 NY Slip Op 5006(U) [App Term, 1st Dept, 2002]; Revilla v. 620 W. 182nd St. Hgt. Assoc. LLC, 47 Misc. 3d 1211(A) at 2 [Civ Ct 2015] (“Relocation expenses have been recognized as [a] viable claim in HP proceedings.”); Gonzalez v. Kwik Realty LLC, 42 Misc. 3d 433, 437 [Civ Ct 2013] (“Civil Court Act 110(c)... provides the authority for the Housing Part to award relocation expenses”).
35. Thus, the Court may order a temporary relocation of an aggrieved occupant or issue other preliminary, temporary or final orders where it is more effective to accomplish compliance, to protect and promote the public interest, or otherwise necessary for a landlord to carry out standard codes.

F. VIOLATIONS AND CONDITIONS THREATENING LIFE, HEALTH AND SAFETY OF PETITIONERS.

36. Petitioners reside in the subject premises and have endured significant hazardous and non-hazardous issues that are building-wide and within their individual apartments.

37. Petitioners have given notice to the Respondent landlord about the conditions, including but not limited to a broken entrance door, mice and roach infestations and leaks in their apartments. See Exhibit A. Furthermore, Petitioners have repeatedly requested for the landlord to address these issues.

38. The New York City Department of Housing, Preservation, and Development (“HPD”) has issued a total of 109 violations for the subject premises that include 31 Class A violations, 66 Class B violations, and 12 Class C violations. See Exhibit A.

39. Petitioners have endured hazardous and nonhazardous conditions in the building and common areas. Respondents' agents have not repaired the conditions enumerated below.

List of Conditions at 1210 Clay Avenue

Common Areas

- Entrance door knock is inadequate, cheap and insecure- and consistently hasn't worked properly for at least 8 years;
- No functioning intercom units in all apartments;
- No intercom in common areas;
- No security camera in building- two people were murdered at the corner of building;
- Roof door emergency activation lock system doesn't work;
- Hallways are dirty;
- Rodents – e.g. mice and roaches in the building;
- No janitorial services;
- Water leaks in the hallways whenever it rains; and
- Defective boiler. DOB issued violations for this condition. See Exhibit C.

Unit 10- William Heidbreder

Entire Apartment

- Inadequate hot water;
- Inadequate heat;
- No smoke detectors;
- Carbon monoxide detector doesn't work – no way to change battery;
- Mice have been in the apartment since move-in date around 2013- landlord has never fixed the issue;
- Roaches;
- Intercom in hallway doesn't work; and
- No hot water often times in apartment.

Bedroom

- Broken fixture in master bedroom; and
- Electrical outlets get overheated.

Bathroom

- Walls have mold- doctor found out he has allergies due to the mold;
- Missing tiles on the floor; and

- Shower head is defective, doesn't properly regulate the temperature of the water.

Living Room

Electrical outlets get overheated

Unit 9- Boubabass Makadji

Entire Apartment

- Roaches;
- Rats; and
- Floor and tiles are old, dirty and need to be replaced.

Bedroom

- Master bedroom door lock is broken;
- Master bedroom ceiling leaks whenever it rains- tenant lives on the highest – top 5th floor;
- Master bedroom floors are warped;
- Master bedroom window has mold;
- Master bedroom window is not sealed properly, there's a gap/hole when you close the window; and
- Master bedroom closet door is broken.

Bathroom

- Bathtub is rusty and old;
- Bathtub doesn't drain properly;
- Bathtub is broken and water spills to the wall when anyone takes a shower;
- Bathroom walls are exposed and you can see all of the wires- wires are exposed;
- Sink is small and water doesn't come out of faucet;
- Faucet is broken;
- Showerhead is broken;
- Window doesn't open;
- Bathroom is dirty and cannot be cleaned due to improper positioning of the bathtub;
- Mold in the bathroom walls and ceilings- all throughout the bathroom;
- Sink cabinet is broken; and
- Walls are need to plastered and painted- they're dirty and old.

Living Room

- Broken outlets;

- Ceiling plaster is cracked;
- Floor tiles are broken/missing;
- Floor tiles are dirty; and
- Windows are not sealed properly.

Kitchen

- Doesn't have a wall, and needs one;
- Gas smoke stays in the apartment when one cooks;
- Gas pipes are inside the kitchen, instead of outside;
- Floor needs to be replaced because it's dirty and old;
- Kitchen design and layout is defective- improperly done;
- Sink cabinet needs to be fixed;
- Holes in the walls, rats enter apartment through the holes;
- Closet needs to be fixed and
- Kitchen door is broken.

Unit 7- Lasanna Sissoko

Entire Apartment

- Roaches;
- Mice; and
- Insufficient outlets in rooms of apartment.

Bedroom

- Door lock is broken in master bedroom

Living Room

- Window lock is broken;
- Window is not sealed properly; and
- Windows leak.

Bathroom

- Broken door lock;
- Light is broken, and placed in the wrong place;
- Vanity is loose;
- Mold in the bathroom;
- Window is broken; and

- Water leaks from top apartment whenever someone cleans.

Kitchen

- No refrigerator in apartment- had to buy his own refrigerator;
- Stove is broken and smells like dead mice inside;
- Window lock is broken;
- Window is not sealed properly;
- Windows leak and there's a draft;
- Kitchen sink is very old and needs to be replaced; and
- Kitchen cabinet is very old and needs to be replaced.

Unit 5- Aboubakar Omar**Bedroom**

- Broken door; and
- Windows are old and don't stay up.

Bathroom

- Broken door;
- Ceiling leaks;
- Ceiling plaster is cracked; and
- Sink faucet is broken/leaks.

Kitchen

- Floor is warped;
- Sink faucet is broken; and
- Kitchen floor tiles are old and need to be replaced.

Unit 3- Kevin Brown**Entire Apartment**

- Needs to be painted;
- Rats and mice;
- Roaches;
- Windows in entire apartment need to be replaced, have broken glass; and
- Windows are not properly sealed, and have holes.

Bedroom

- **Window glass is cracked; and**
- **Window is old and has holes.**

Bathroom

- **Ceiling has dirt coming down due to hole at the top of the tub; and**
- **Holes at top of the bathtub- roaches come out into the tub when someone showers.**

Kitchen

- **Window has broken glass; and**
- **Bad roach problem.**

Unit 8- Fior D. Batista-Lora**Entire Apartment:**

- **Inadequate hot water;**
- **Inadequate heat;**
- **Rats, mice and roaches;**
- **Garbage is often left in front of the apartment door;**
- **Not enough smoke alarms; and**
- **No carbon monoxide alarms in apartment.**

Kitchen:

- **The floor is uneven;**
- **The floor has gaps/holes;**
- **The refrigerator is broken;**
- **The pipes located in the kitchen sink leak;**
- **The kitchen sink leaks from top to the bottom;**
- **The kitchen sink cabinet under the sink is deteriorating and needs to be replaced;**
- **The window has mold;**
- **The window does not open and close; and**
- **The lock on the window does not function/not working.**

Bathroom:

- **Faucet located in the bathroom basin is broken;**
- **Bathroom sink for washing is clogged and doesn't work;**
- **Faucet in the bathtub leaks;**
- **The surface of the bathtub is cracked and detached;**
- **The lock of the bathroom door is broken;**
- **The ceiling in the bathroom has mold;**
- **The ceiling in the bathroom has chipped paint and needs to be painted;**

- The ceiling in the bathroom leaks;
- The floor has gaps;
- The floor is uneven;
- The floor around the radiator has gaps;
- The lock on the window is broken;
- The window is not sealed properly;
- The window has mold;
- The window does not open and close;
- The bathroom tub needs to be stripped, re-glazed and painted- needs to be changed; and
- The toilet and toilet basin leak constantly.

Living Room:

- The outlets in the living room are broken and don't work;
- The floor has gaps;
- The floor is uneven throughout the living room;
- There are gaps around the radiator in the living room;
- The windows don't open and or close;
- The windows have locks that don't function; and
- The window leading to the fire escape is broken.

Bedroom- 1st Main Room – located on the right side of the entrance

- Both window locks are broken;
- The windows do not go up and down properly;
- The floors have holes and gaps- the floors are wooden;
- There are holes in the bottom of the radiator; and
- The door is not aligned properly.

Bedroom- Second Bedroom on the right side

- Window has a broken lock;
- Window does not go up and down;
- The top and the bottom of the radiator pole has holes; and
- The floor has gaps at the entrance of the room.

Bedroom- Third Room

- Window leading to the fire escape does not open;
- Window's lock is broken;
- The floor where the radiator pole is located has holes at top and bottom;
- The bedroom door is not aligned properly;
- The floor is uneven; and
- The floor has holes- floors are wooden.

NO PRIOR APPLICATION

40. Petitioners have made no prior application for the relief requested in the instant order to show cause and petition.

FIRST CLAIM FOR RELIEF: ORDER TO CORRECT

41. Petitioners re-allege the allegations set forth in all paragraphs contained above.

42. Petitioners seek an order directing Respondents to correct all of the issues listed in the aforementioned conditions list, all Code violations and, including the above-referenced HPD violations in Petitioners' apartment and all additional violations found as a result of the inspection requested by Petitioners herein, or otherwise determined by the Court to exist at the subject premises.

SECOND CLAIM FOR RELIEF: CIVIL PENALTIES

43. Petitioners re-allege the allegations set forth in all paragraphs contained above.

44. Respondent Hee Yang is the owner of the subject building, including Petitioners' apartments, within the meaning of the Housing Maintenance Code.

45. HPD has issued notices of violations setting a date for completion of repairs and the conditions as set forth in Exhibit A.

46. Petitioners seek civil penalties to be imposed for all hazardous conditions, violations, and non-hazardous complaints that are more than thirty days old as stated herein and incorporated by the annexed exhibits pursuant to Sections 27-2115(h),(i) of the N.Y.C. Administrative Code, Section 203(k) of the Civil Court Act, Section 27-2115(a) of the N.Y.C. Administrative Code, 1 RCNY § 11-02(b), and Section 28-202 of the N.Y.C. Administrative Code.

THIRD CLAIM FOR RELIEF: HARRASSMENT

47. Petitioners re-allege the allegations set forth in all paragraphs contained above.

48. Respondent Hee Yang is the owner of the subject building, including Petitioners' apartments, within the meaning of the Housing Maintenance Code.

49. Respondent landlord has harassed Petitioners in violation of section 27-2005(d) of the Housing Maintenance Code and within the meaning of Code Section 27-2004(a)(48) by, among other things, repeated interruptions and complete discontinuances of essential services and interruptions of essential services of such significance as to substantially impair the habitability of the subject premises; and other acts and omissions that have substantially interfered with Petitioners' use and enjoyment of their apartments and caused and/or were intended to cause Petitioners to vacate their dwelling unit and waive their rights as tenants.

50. Specifically, Respondent Owner Hee Yang locked out Petitioner Lassana Sissoko from his apartment on or about six months ago. Mr. Sissoko called the police upon realizing that he had been locked out. The police came and opened the apartment door, and warned Respondent-Owner Hee Yang she would be arrested if she continues this behavior.

51. Respondent Owner Hee Yang has harassed Petitioners by entering into tenants' apartments without notice. For example, Respondent Hee Yang has repeatedly entered Petitioner Kevin Brown's apartment without notice and without permission. Respondent-Owner Hee Yang has also entered the apartment with a key without notice, unannounced and at inopportune times including an instance when Mr. Brown was taking a shower.

52. Respondent Owner Hee Yang has harassed Petitioners by verbally abusing them both inside the premises and in front of the building. Respondent Hee Yang often yells at Petitioner tenants and argues with them in front of the building telling them that they owe rent; so that strangers and anyone passing by can hear their personal business.
53. Additionally, Respondent owner Hee Yang has repeatedly refused to make repairs for Petitioners in the building and common areas throughout the course of their tenancies. Petitioners have been forced to live with deteriorating conditions, in the common areas and in their individual apartments despite repeated requests for repairs. HPD has issued violations for numerous individual and common area issues dating as far back at 1983. See Exhibit A. Some of these issues include inadequate hot water, leaks, and numerous violations for failing to maintain the roof and courtyards.
54. Respondent Hee Yang often tells Petitioners to make repairs themselves when they contact her about repair issues in their apartments. Unfortunately, Petitioners have had to make many repairs in their individual apartments throughout the course of the tenancies because they could not afford to risk their health and safety.
55. Respondent-Owner Hee Yang has harassed Petitioners by requiring them to make payments before they can receive essential services and repairs. Specifically, Respondent-Owner Hee Yang refused to provide Petitioner Boubabass Makadji a refrigerator and stove when he moved into the property on or about March of 2020. Mr. Makadji was forced to live without a stove and refrigerator for six months after moving into his apartment. Respondent landlord Hee Yang only agreed to provide a stove and refrigerator after Mr. Makadji paid four months' rent.

56. Respondent-Owner Hee Yang refused to provide Petitioner Lassana Sissoko a refrigerator when he moved into the apartment on or about April 2019. Mr. Sissoko consequently had to buy his own refrigerator. Furthermore, Mr. Sissoko has had to make many repairs during his tenancy, including having to fix a broken front door, repairing leaks under his sink and repairing his showerhead.
57. Respondent- Owner Hee Yang has further harassed Petitioners by refusing to provide them with rent stabilized leases as required by law. For example, Petitioner Kevin Brown has repeatedly asked Respondent Hee Yang for a lease since moving into the subject premises twenty-one years ago. To date, Respondent owner Hee Yang has never provided Mr. Brown with a lease. Despite never providing a lease, Respondent landlord Hee Yang has continued to improperly raise Mr. Brown's rent throughout the course of his tenancy.
58. Furthermore, Respondent-Owner Hee Yang has refused to provide a lease to Petitioner Lassana Sissoko since he moved into the apartment on or about April 2019. Respondent Hee Yang promised to provide Mr. Sissoko a lease if he paid four months' rent up front when he moved into the subject apartment. Mr. Sissoko paid Respondent-Owner four months' rent but Respondent owner still has not provided him a lease to date.
59. Additionally, Respondent landlord Hee Yang has refused to provide Petitioner Aboubakar Omar renewal leases for approximately the past ten years. Respondent Hee Yang only offered Mr. Omar the initial lease he used to move into the property. Since then, Respondent Hee Yang has refused to offer Mr. Omar additional renewal leases. Sometime on or about January 2021, Mr. Omar tried to secure a one-shot deal approval

from HRA to pay rent arrears but needed the landlord to confirm that he lived in the subject premises. Respondent-Owner Hee Yang refused to provide the confirmation, and told Mr. Omar that she wants him out of her property.

60. Furthermore, Respondent-Owner Hee Yang rents out individual rooms at the subject rent stabilized building, and Petitioners believe that they are being overcharged. All of the tenants have requested rent histories from DHCR because of the high rent amounts they pay for renting out individual rooms.

61. Respondent Owner Hee Yang has harassed Petitioner tenants by interfering and dissuading them from participating in the tenants' association. Sometime during the summer of 2020, the landlord interrupted the tenants while they were having a tenant association meeting in front of the building and made it clear by initiating an argument that she was unhappy to see that the tenants were organizing to assert their rights. Respondent Hee Yang has called some of the Petitioners troublemakers for asserting their rights to get repairs and live in a safe and habitable apartment.

62. Petitioners seek an order imposing civil penalties of \$10,000 against Respondent-Owner Hee Yang for harassment under section 27-2115(m)(2) of the Housing Maintenance Code.

63. Petitioners seek compensatory damages and all other damages and relief defined and provided under Sections 27-2005 and 27-2115 of the Administrative Code of the City of New York.

FOURTH CLAIM FOR RELIEF: ORDER ENJOINING HARASSMENT

64. Petitioners re-allege the allegations set forth in all paragraphs contained above.

65. Respondent Hee Yang is the owner of the subject building, including Petitioners' apartments, within the meaning of the Housing Maintenance Code.
66. Respondent Hee Yang has engaged in harassment of Petitioners in violation of section 27-2005(d) of the Housing Maintenance Code and within the meaning of Code section 27-2004(a)(48) by, among other things, repeated interruptions and discontinuances of essential services and interruptions of essential services of such significance as to substantially impair the habitability of the subject premises; and other acts and omissions that have substantially interfered with Petitioners' use and enjoyment of their apartment and caused and/or were intended to cause Petitioners to vacate their dwelling and waive their rights as tenants.
67. Petitioners seeks an order enjoining Respondent Hee Yang from any further violation of section 27-2005(d) of the Housing Maintenance Code.

FIFTH CLAIM FOR RELIEF: TEMPORARY RELOCATION AND MOVING COSTS IF NEEDED DURING THE COURSE OF REPAIRS.

68. Petitioners re- allege the allegations set forth in all paragraphs contained above.
69. In the event that repairs cannot be performed without endangering the life, health, and safety of Petitioners, Petitioners ask that the Court direct Respondent-Owner to provide comparable vacant apartments in their control or possession to Petitioners, or in the alternative, order Co-Respondent, HPD, to provide relocation assistance to Petitioners and for HPD to collect reimbursement for such relocation assistance from Respondent-Owner pursuant to Section 26-305, et seq of N.Y.C. Admin. Code.
70. Furthermore, Petitioners seek an order directing Respondent-Owner to pay for costs necessary for moving, storing, and clearing their belongings from the subject premises.

SIXTH CLAIM FOR RELIEF: ATTORNEYS' FEES

71. Petitioners re-allege the allegations set forth in all paragraphs contained above.

72. Respondent Hee Yang is the owner of the subject building, including Petitioners' apartments, within the meaning of the Housing Maintenance Code.

73. Respondent Hee Yang has engaged in harassment of Petitioners in violation of Section 27-2005(d) of the Housing Maintenance Code and within the meaning of Code Section 27-2004(48) by, among other things, repeated interruptions and discontinuances of essential services and interruptions of essential services of such significance as to substantially interfere with Petitioners' use and enjoyment of their apartment and caused and/or were intended to cause Petitioners to vacate their dwelling units and waive their rights as tenants.

74. Petitioners seek an order awarding Petitioners' reasonable attorney's fees arising out of Respondent-Owner's harassment and Respondents' failure to maintain Petitioners' apartments to code, as well as their failure to maintain the common areas of the building under Section 27-2115(o) of the Housing Maintenance Code, in an amount to be determined by the Court.

WHEREFORE, Petitioners respectfully request this Court issue an Order and Judgment granting the following relief:

- 1) **FINDING** that the conditions described in this petition and annexed exhibits constitute violations and **DIRECTING** Respondent-Owner, and Respondent-Managing Agent to correct said violations and any new violations that arise during the pendency of this proceeding within the times provided by Section 27-2115(c) of the Administrative Code of the City of New York and or be subject to the civil penalties provided for by Section 27-2115(a) of said Code, and other applicable laws and regulations;
- 2) **ORDERING** Respondent-Owner and Respondent-Managing Agent to provide comparable vacant apartments to Petitioners for occupancy if needed during the course of repairs and until violations are corrected on the premises, or in the alternative, **ORDERING** Co-Respondent, HPD, to provide relocation assistance to

- Petitioners and for HPD to collect reimbursement for such relocation assistance from Respondent-Owner pursuant to Sections 26-301, 26-305, et seq of N.Y.C. Admin. Code and or other applicable laws;
- 3) **ENJOINING** Respondent-Owner, and Respondent-Managing Agent from permitting said violations to exist and from permitting any new conditions during the pendency of this action to exist which endanger the life, health, and safety of Petitioners;
 - 4) **FINDING** that the acts or omissions by Respondent-Owner and Respondent-Managing Agent described in this petition constitute violations of Sections 27-2005(d) and 27-2004(a)(48) of the N.Y.C. Admin. Code and be subject to the civil penalties provided for by Sections 27-2115(a) and 272115(m) of the same code and **AWARDING** Petitioners compensatory damages and one thousand dollars for each finding of harassment, punitive damages, and reasonable attorneys' fees and costs under Section 27-2115(o) of the N.Y.C. Administrative Code, and other applicable laws;
 - 5) **FINDING** that Respondent-Owner has engaged in unlawful harassment within the meaning of section 27-2004(a)(48) of the Code, in violation of section 27-2005(d) of the Code;
 - 6) **ENJOINING** Respondent-Owner from future acts of harassment in violation of Sections 27-2005(d), 27-2004(a)(48), and 27-2115(m)(5) of the N.Y.C. Admin. Code;
 - 7) **IMPOSING** upon Respondent-Owner, and Respondent-Managing Agent the civil penalties provided by Section 27-2115(a) of the Administrative Code of the City of New York, 1 RCNY § 11-02(b), and Section 28-202 of the Administrative Code of the City of New York based upon Respondents' violations of the Housing Maintenance Code, Building Code, Construction Code, and other applicable laws; and **ENTERING** a judgment against the Respondent-Owner for the amount of civil penalties imposed by the Court;
 - 8) **AWARDING** Petitioners' costs, disbursement, and attorneys' fees for this proceeding; and
 - 9) **GRANTING** such other and further relief as may seem just and proper.

**Dated: Bronx, New York
March 28, 2021**

By: 

**BRONX LEGAL SERVICES
EZINWANYI "EZI" UKEGBU, ESQ.
369 EAST 148TH STREET. 2ND FLOOR
BRONX, NY 10455
718-928-3706
EMAIL: EUKEGBU@LSNYC.ORG**

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX: HOUSING PART H**

**WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA**

Petitioners,

-against-

HEE YANG

**Respondent-Owner,
Managing Agent**

-and-

**NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT**

Co-Respondent

-and

**NEW YORK CITY DEPARTMENT OF BUILDINGS
Co- Respondent**

**NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE**

Co- Respondent

INDEX NO. L&T

ATTORNEY VERIFICATION

Premises

**1210 Clay Avenue
Bronx New York, 10456**

**EZINWANYI UKEGBU an attorney duly admitted to practice in the State of New York,
affirms the following under penalty of perjury:**

- 1. I am over the age of 18 and not a party to this action.**
- 2. Bronx Legal Services represents the petitioners in this proceeding. I affirm the facts asserted in the Petition are true to the best of my knowledge.**
- 3. The basis for my knowledge includes information and evidence provided by the**

Petitioners, information gathered by Bronx Legal Services paralegals, a review of public records including a review of records registered with the City of New York (ACRIS, DHPD, DOB).

**Dated: March 28, 2021
Bronx, New York**



BY: EZINWANYI UKEGBU

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX: HOUSING PART H**

**WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA**

Petitioners,

-against-

HEE YANG

**Respondent-Owner,
Managing Agent**

-and-

**NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT**

Co-Respondent

**NEW YORK CITY DEPARTMENT OF BUILDINGS
Co-Respondent**

-and

**NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE**

Co- Respondent

INDEX NO. L&T

**ATTORNEY AFFIRMATION
OF VERIFICATIONS**

Premises

**1210 Clay Avenue
Bronx New York, 10456**

**EZINWANYI UKEGBU, an attorney duly admitted to practice in the State of New York,
affirms the following under penalty of perjury:**

- 1. I am over the age of 18 and not a party to this action. Bronx Legal Services is the attorney for petitioners in this proceeding.**
- 2. Bronx Legal Services staff, including attorneys and paralegal, reviewed the facts contained herein to the petitioners via telephone. Each petitioner-tenant has**

confirmed that the facts are true to the best of his or her knowledge.

3. Due to the fact Bronx Legal Services offices are closed pursuant to Governor Cuomo's Executive Order 202.31 (a.k.a. "New York on Pause"), petitioners were unable to sign the verification in person at our office. The petition is being submitted in accordance with the provisions for signatures and electronic filing under Administrative Order AO/78/20 and Directive DRP-207.

Dated: March 28, 2021
Bronx, New York



BY: EZINWANYI UKEGBU

AFFIDAVIT OF TRANSLATION

State of New York }

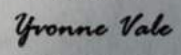
County of Bronx } ss:

YVONNE VALE, deposes and says:

- 1. I am over the age of 18 and not a party to this action.
- 2. I am an employee at Bronx Legal Services.
- 3. I am fluent in both Spanish and English.
- 4. On March 17th, 2021, I translated the within petition and verification for

Petitioner Ms. Fior D Lora-Batista. She indicated to me that she understood its meaning.

Dated: Bronx, New York
March 17th, 2021

DocuSigned by:

 RC1B9897517947F

YVONNE VALE

Exhibit List

- A. HPD Violation Summary Report for the building dated 3/28/2021**
- B. Deed for Building**
- C. DOB Violations**

EXHIBIT A

HPD VIOLATION SUMMARY REPORT

Dated 3/28/21

3/28/2021
061620

HPD Building, Registration & Violation Services

-- Select --

[Home](#)

The selected address: 1210 CLAY AVENUE, Bronx 10456

This building has filed records with the New York State Division of Housing and Community Renewal at least one time from 1993 to the present year and may contain one or more regulated apartments.

HPD#	Range	Block	Lot	CD	CensusTract	Stories	A Units	B Units	Ownership	Registration#	Class
56834	Active	1210-	02426	0061	4 17701	5	11	0	PVT	207405	B

- [Other Units](#)
- [Property Owner Registration Information](#)
- [Charges](#)
- [Complaint Status](#)
- [Complaint History](#)
- [Litigation/Case Status](#)
- [Tenant Harassment Report](#)
- [All Open Violations](#)
- [prior year Open Viol's](#)
- [Ecertification](#)
- [Overdue Lead Paint Viol. Correction](#)
- [Vacate Orders](#)
- [I-Card Images](#)

Building Registration Summary Report

Find Apartment#

Owner	Last Reg Dt	Reg Expire Dt	Organization	Last Nm	First Nm	House No	Street Nm	Apt	City	State	Zip
Individual	10/15/2020	09/01/2021		YANG	HEE	1210	CLAY AVE	4	BRONX	NY	10456
Managing Agent	10/15/2020	09/01/2021				1210	CLAY AVENUE	4	BRONX	NY	10456

Open Violations - ALL DATES

There are 109 Violations. Arranged by category: A class: 31 B class: 66 C class: 12 I class: 0

For Definitions of the columns indicated below, select glossary under the Services option (located at the upper right).

To sort the columns, click on their underlined headers below in the blue area.

<u>Apt Story</u>	<u>Reported Date, nov ISSUED Date</u>	<u>Hzrd Class</u>	<u>Order no.</u>	<u>Violation ID, NOV ID, NOV Type</u>	<u>Violation Description</u>	<u>Status Status Date</u>	<u>Certify By Date Actual Cert. Date</u>
4	2019/10/06 2019/10/11	B	505	13327416 6632689 Original	§ 27-2005 adm code replace with new the broken or defective cracked outter glass at upper sash window at public hall stairs, 4th story	NOV SENT 2019/10/11	2019/11/29
7 4	2019/10/06 2019/10/10	C	790	13327354 6631102 Original	§ 27-2043.1 hmc install the missing or repair/replace the defective window guard(s) in accordance with the specifications of the new york city health code section 24 rcny chapter 12. wg to install	NOV LATE 2019/11/18	2019/11/12 2019/11/18

PROS Online
Bed Bugs
Map

					= 4; wg to replace = 0; wg to repair = 0; in the entire apartment located at apt 7, 4th story, 1st apartment from north at east		
4	2017/06/28 2017/07/03	B	538 *	11853267 5790633 Original	§ 27-2005, 2007 adm code remove all encumbrances consisting of bicycle chained on the ballast of stairwell at public hall stairs, 4th story	NOV LATE 2017/08/22	2017/08/21 2017/08/22
7 4	2017/02/17 2017/02/21	C	670 *	11657911 5687954 Original	§ 27-2031 adm code provide hot water at all hot water fixtures in the entire apartment located at apt 7, 4th story, 1st apartment from north at east	CERT INVALID 2017/02/27	2017/03/02
Basement	2017/02/17 2017/02/21	C	672	11657961 5686671 Original	§ 27-2033 adm code provide ready access to buildings heating system locked door at boiler room	CIV10 MAILED 2017/05/01	2017/03/06 2017/02/27
1	2016/05/16 2016/05/18	A	700	11236860 5431738 Original	§ 27-2045 adm code post a proper notice of smoke detector requirements, in a form approved by the commissioner, at or near the mail box missing at public hall, 1st story	NOV SENT 2016/05/18	2016/09/04
1	2016/05/16 2016/05/18	A	1501	11236862 5431738 Original	§ 27-2046.1 hmc: post a proper notice of carbon monoxide detecting device requirements, in a form approved by the commissioner, in a common area of a class a multiple dwelling near inspection certificate or provide notice to tenants in a private dwelling. at public hall, 1st story	NOV SENT 2016/05/18	2016/09/04
1	2016/05/16 2016/05/18	A	778	11236864 5431738 Original	§ 27-2104 adm code post and maintain a proper sign on wall of entrance story showing the registration number assigned by the department and the address of the building. at public hall, 1st story	NOV SENT 2016/05/18	2016/09/04
10 5	2009/07/17 2009/07/20	B	649 *	7970652 3683927 Original	§ 27-2026 adm code remove all obstructions and repair all defects in at tub in the bathroom located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/09/07
10 5	2009/07/17 2009/07/20	B	505	7970653 3683927 Original	§ 27-2005 adm code replace with new the broken or defective lower window sash balances in the 1st room from east located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/09/07
10 5	2009/07/17 2009/07/20	A	501	7970654 3683926 Original	§ 27-2005 adm code properly repair the broken or defective wood	NOV SENT 2009/07/20	2009/11/06

					window sill in the 1st room from east located at apt 10, 5th story, 2nd apartment from north at east		
10 5	2009/07/17 2009/07/20	B	501	7970871 3683927 Original	§ 27-2005 adm code properly repair the broken or defective entrance door in the bathroom located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/09/07
3	2009/07/17 2009/07/20	B	505	7970877 3683927 Original	§ 27-2005 adm code replace with new the broken or defective upper window sash pane at intermediate landing at public hall, 3rd story	NOV SENT 2009/07/20	2009/09/07
10 5	2009/07/17 2009/07/20	B	508	7970907 3683927 Original	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color the north wall in the foyer located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/09/07
10 5	2009/07/17 2009/07/20	B	702	7970912 3683927 Original	§ 27-2045 adm code repair or replace the smoke detector missing in the entire apartment located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/09/07
10 5	2009/07/17 2009/07/20	A	505	7970916 3683926 Original	§ 27-2005 adm code replace with new the broken or defective lower window sash balances in the 4th room from east located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/11/06
10 5	2009/07/17 2009/07/20	A	505	7970918 3683926 Original	§ 27-2005 adm code replace with new the broken or defective lower window sash balances in the 6th room from east located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/11/06
10 5	2009/07/17 2009/07/20	A	556	7970964 3683926 Original	§ 27-2013 adm code paint with light colored paint to the satisfaction of this department all walls and ceilings in the entire apartment located at apt 10, 5th story, 2nd apartment from north at east	NOV SENT 2009/07/20	2009/11/06
10	2009/07/08 2009/07/10	B	504	7955790 3677252 Original	§ 27-2005 adm code provide wire screen below skylight located at apt 10	NOV SENT 2009/07/10	2009/08/28
Roof	1983/04/01 2008/05/21	B	530	423248 3276004 Reissued	d26-10.01, 10.05 adm code arrange and make self-closing the doors pub hall bulkhead door to roof.	NOV SENT 2008/05/21	2008/07/09
Cellar	1983/04/01 2008/05/21	B	552	423249 3276004 Reissued	d26-11.01, 11.03, 11.05 adm code remove the accumulation of refuse	NOV SENT 2008/05/21	2008/07/09

					and/or rubbish and maintain in a clean condition the paint & tar cans assorted rubbish boiler room cellar.		
Fire Escape	1983/04/01 2008/05/21	B	539	423250 3276004 Reissued	d26-10.01, 10.05 adm code and dept. rules and regulations. remove the encumbrance obstructing egress from fire escapes flower pots & boxes 3rd sty rear east fire escape.	NOV SENT 2008/05/21	2008/07/09
2N	1984/08/14 2008/05/21	B	579	423251 3276004 Reissued	d26-16.01 adm code repair the leaky and/or defective faucets hot & cold water fixture 2nd sty rear north apt 2n kitchen & bathroom. , section " "	NOV SENT 2008/05/21	2008/07/09 1984/11/28
7	1984/10/03 2008/05/21	C	577 *	423252 3276005 Reissued	d26-15.01 adm code provide adequate supply of hot water for the fixtures 4th sty northeast apt 7 wash basin bathroom. , section " "	NOV SENT 2008/05/21	2008/06/01 2001/07/16
3	1984/12/26 2008/05/21	B	566	423253 3276004 Reissued	d26-13.03 adm code abate the nuisance consisting of vermin mice 2nd sty south apt 3 all rooms. , section " "	NOV SENT 2008/05/21	2008/07/09
3	1984/12/26 2008/05/21	B	508	423254 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clg & walls 2nd sty south apt 3 front & rear foyer front & center rooms. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/05/20 2008/05/21	B	505	423255 3276004 Reissued	d26-10.01 adm code replace with new the broken or defective mortise lock assembly 1 sty north apt 1a entrance door. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/05/20 2008/05/21	A	529	423256 3276006 Reissued	d26-10.01 adm code refit entrance door to 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/09/07
1A	1985/05/20 2008/05/21	B	509	423257 3276004 Reissued	d26-10.01 adm code properly secure the loose door jam & striker plate to 1 sty north apt 1a entrance door. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/05/20 2008/05/21	B	521	423258 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/07/18 2008/05/21	C	579	423259 3276005 Reissued	d26-16.01 adm code repair the leaky and/or defective faucets 1 sty north apt 1a wash basin. , section " "	NOV SENT 2008/05/21	2008/06/01 2001/07/16
Cellar	1985/08/09 2008/05/21	C	672	423263 3276005 Reissued	d26-17.10 adm code provide ready access to building's heating system	NOV SENT 2008/05/21	2008/06/01 2001/07/16

					cellar & or boiler room door locked.		
1A	1985/08/20 2008/05/21	B	508	423264 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clg & walls 1 sty north apt 1a kitchen. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/08/20 2008/05/21	B	701	423265 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/08/20 2008/05/21	C	510	423266 3276005 Reissued	d26-10.01 adm code & 309 m/d law abate the nuisance consisting of double cylinder key operated lock entrance door to 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/06/01 2001/07/16
1A	1985/08/20 2008/05/21	B	530	423267 3276004 Reissued	d26-10.01, 10.05 adm code arrange and make self-closing the doors entrance 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/08/20 2008/05/21	B	505	423268 3276004 Reissued	d26-10.01 adm code replace with new the broken or defective window glass bottom sash 1 sty north apt 1a 1 room from front west room. , section " "	NOV SENT 2008/05/21	2008/07/09
1A	1985/08/20 2008/05/21	A	556	423269 3276006 Reissued	d26-12.01 adm code paint with light colored paint to the satisfaction of this department clg & walls 1 sty north apt 1a northwest room. , section " "	NOV SENT 2008/05/21	2008/09/07
1A	1985/08/20 2008/05/21	B	509	423270 3276004 Reissued	d26-10.01 adm code properly secure the loose mortise lock assembly & strike plate of entrance door to 1 sty north apt 1a. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1985/10/18 2008/05/21	A	556	423271 3276006 Reissued	d26-12.01 adm code paint with light colored paint to the satisfaction of this department clg 3rd sty southeast apt 6 center room. , section " "	NOV SENT 2008/05/21	2008/09/07
6	1985/10/18 2008/05/21	B	566	423272 3276004 Reissued	d26-13.03 adm code abate the nuisance consisting of vermin mice & roaches 3rd sty southeast apt 6 kitchen. , section " "	NOV SENT 2008/05/21	2008/07/09
2	1986/01/04 2008/05/21	B	521	423273 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 2nd sty south apt 2. , section " "	NOV SENT 2008/05/21	2008/07/09

1	1986/02/14 2008/05/21	C	510	423275 3276005 Reissued	d26-10.01 adm code & 309 m/d law abate the nuisance consisting of double cylinder key operated lock entrance door to 1st sty north apt 1. located at apt 1	NOV SENT 2008/05/21	2008/06/01 2001/07/16
1	1986/02/14 2008/05/21	B	701	423276 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 1st sty north apt 1. located at apt 1	NOV SENT 2008/05/21	2008/07/09
6	1986/02/14 2008/05/21	C	670 *	423277 3276005 Reissued	d26-17.07 adm code provide hot water at all hot water fixtures 4 sty northeast apt 6. , section " "	NOV SENT 2008/05/21	2008/06/01 2001/07/16
1C	1986/04/01 2008/05/21	B	502	423281 3276004 Reissued	d26-10.01 adm code properly repair with similar material the broken or defective floor tiles 1 sty east apt 1c bathroom. , section " "	NOV SENT 2008/05/21	2008/07/09
1C	1986/04/01 2008/05/21	B	701	423282 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 1 sty east apt 1c. , section " "	NOV SENT 2008/05/21	2008/07/09
1C	1986/04/01 2008/05/21	B	521	423283 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 1 sty east apt 1c. , section " "	NOV SENT 2008/05/21	2008/07/09
1C	1986/04/01 2008/05/21	B	501	423284 3276004 Reissued	d26-10.01 adm code properly repair the broken or defective electrical wall outlet 1 sty east apt 1c northeast room. , section " "	NOV SENT 2008/05/21	2008/07/09
7	1986/04/16 2008/05/21	B	508	423285 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clg 4th sty north apt 7 bathroom. , section " "	NOV SENT 2008/05/21	2008/07/09
7	1986/04/16 2008/05/21	B	521	423287 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 4th sty north apt 7. , section " "	NOV SENT 2008/05/21	2008/07/09
5	1986/05/09 2008/05/21	B	509	423288 3276004 Reissued	d26-10.01 adm code properly secure the loose light fixture at clg of 3 sty	NOV SENT 2008/05/21	2008/07/09

					south apt 5 bathroom. , section " "		
5	1986/05/09 2008/05/21	B	521	423289 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 3 sty south apt 5. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1986/05/14 2008/05/21	A	508	423290 3276006 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clg near steam riser 3rd sty south apt 6 bathroom. , section " "	NOV SENT 2008/05/21	2008/09/07
6	1986/05/14 2008/05/21	A	506	423291 3276006 Reissued	d26-10.01 adm code replace with new the missing entrance door lock 3rd sty south apt 6 bathroom. , section " "	NOV SENT 2008/05/21	2008/09/07
6	1986/05/14 2008/05/21	B	701	423292 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 3rd sty south apt 6. , section " "	NOV SENT 2008/05/21	2008/07/09
9	1986/06/17 2008/05/21	A	505	423293 3276006 Reissued	d26-10.01 adm code replace with new the broken or defective porcelain water closet tank top at 5 sty north apt 9 bathroom. , section " "	NOV SENT 2008/05/21	2008/09/07
9	1986/06/17 2008/05/21	A	556	423294 3276006 Reissued	d26-12.01 adm code paint with light colored paint to the satisfaction of this department walls clgs & trim 5 sty north apt 9 kitchen bathroom rear room & both front rooms. , section " "	NOV SENT 2008/05/21	2008/09/07
9	1986/06/17 2008/05/21	A	502	423295 3276006 Reissued	d26-10.01 adm code properly repair with similar material the broken or defective wood floor 5 sty north apt 9 center room & private hall. , section " "	NOV SENT 2008/05/21	2008/09/07
9	1986/06/17 2008/05/21	B	508	423296 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clg kitchen 5 sty north apt 9. , section " "	NOV SENT 2008/05/21	2008/07/09
9	1986/06/17 2008/05/21	A	579	423297 3276006 Reissued	d26-16.01 adm code repair the leaky and/or defective faucets sink 5 sty north apt 9 kitchen. , section " "	NOV SENT 2008/05/21	2008/09/07
9	1986/06/17 2008/05/21	B	508	423298 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a	NOV SENT 2008/05/21	2008/07/09

					uniform color clg 5 sty north apt 9 2nd from front room closet. , section " "		
9	1986/06/17 2008/05/21	B	508	423299 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color north walls & clg 5 sty north apt 9 front room. , section " "	NOV SENT 2008/05/21	2008/07/09
9	1986/06/17 2008/05/21	B	510	423300 3276004 Reissued	d26-10.01 adm code & 309 m/d law abate the nuisance consisting of concealed leak clg 5 sty north apt 9 front room. , section " "	NOV SENT 2008/05/21	2008/07/09
5	1986/07/08 2008/05/21	B	501	423301 3276004 Reissued	d26-10.01 adm code properly repair the broken or defective bathroom clg light fixture 3 sty north apt 5. , section " "	NOV SENT 2008/05/21	2008/07/09
5	1986/07/08 2008/05/21	B	566	423303 3276004 Reissued	d26-13.03 adm code abate the nuisance consisting of vermin 3 sty north apt 5. , section " "	NOV SENT 2008/05/21	2008/07/09
Yards / Courts	1986/07/09 2008/05/21	B	524 *	423304 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove the obstruction in fireproof passageway fire passage at north.	NOV SENT 2008/05/21	2008/07/09
Roof	1986/07/09 2008/05/21	A	506	423305 3276006 Reissued	d26-10.01 adm code replace with new the missing terra cotta coping front north roof.	NOV SENT 2008/05/21	2008/09/07
Roof	1986/07/09 2008/05/21	A	552	423306 3276006 Reissued	d26-11.01, 11.03, 11.05 adm code remove the accumulation of refuse and/or rubbish and maintain in a clean condition the roof throughout.	NOV SENT 2008/05/21	2008/09/07
8	1986/07/09 2008/05/21	B	509	423307 3276004 Reissued	d26-10.01 adm code properly secure the loose light fixtures 4 sty south apt 8 bathroom kitchen & south rooms. located at apt 8	NOV SENT 2008/05/21	2008/07/09
8	1986/07/09 2008/05/21	B	510	423308 3276004 Reissued	d26-10.01 adm code & 309 m/d law abate the nuisance consisting of exposed electrical wires clgs & walls 4 sty south apt 8 throughout. located at apt 8	NOV SENT 2008/05/21	2008/07/09
8	1986/07/09 2008/05/21	B	521	423309 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 4 sty south apt 8. located at apt 8	NOV SENT 2008/05/21	2008/07/09
8	1986/07/09 2008/05/21	B	566	423310 3276004 Reissued	d26-13.03 adm code abate the nuisance consisting of vermin roaches 4 sty south apt 8	NOV SENT 2008/05/21	2008/07/09

					throughout. located at apt 8		
8	1986/07/09 2008/05/21	A	509	423311 3276006 Reissued	d26-10.01 adm code properly secure the loose lower sash in window kitchen center south 4 sty south apt 8. located at apt 8	NOV SENT 2008/05/21	2008/09/07
8	1986/07/09 2008/05/21	A	501	423312 3276006 Reissued	d26-10.01 adm code properly repair the broken or defective entrance door lock to 4 sty south apt 8. located at apt 8	NOV SENT 2008/05/21	2008/09/07
8	1986/07/09 2008/05/21	B	701	423313 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 4 sty south apt 8. located at apt 8	NOV SENT 2008/05/21	2008/07/09
3	1986/07/09 2008/05/21	B	508	423314 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color wall in north center & front west rooms 2 sty north apt 3. located at apt 3	NOV SENT 2008/05/21	2008/07/09
3	1986/07/09 2008/05/21	B	505	423315 3276004 Reissued	d26-10.01 adm code replace with new the broken or defective glass in kitchen & bedroom lower & upper east rooms 2 sty north apt 3. located at apt 3	NOV SENT 2008/05/21	2008/07/09
3	1986/07/09 2008/05/21	A	501	423316 3276006 Reissued	d26-10.01 adm code properly repair the broken or defective & or make operable windows in front west room 2 sty north apt 3. located at apt 3	NOV SENT 2008/05/21	2008/09/07
3	1986/07/09 2008/05/21	A	529	423317 3276006 Reissued	d26-10.01 adm code refit entrance door 2 sty north apt 3. located at apt 3	NOV SENT 2008/05/21	2008/09/07
3	1986/07/09 2008/05/21	B	509	423318 3276004 Reissued	d26-10.01 adm code properly secure the loose mortise lock to entrance door 2 sty north apt 3. located at apt 3	NOV SENT 2008/05/21	2008/07/09
2	1986/07/09 2008/05/21	B	701	423319 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 1 sty south apt 2. located at apt 2	NOV SENT 2008/05/21	2008/07/09
1	1986/07/09 2008/05/21	C	579	423320 3276005 Reissued	d26-16.01 adm code repair the leaky and/or defective faucets bathtub bathroom 1 sty west apt 1. located at apt 1	NOV SENT 2008/05/21	2008/06/01
1	1986/07/09 2008/05/21	B	521	423321 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove	NOV SENT 2008/05/21	2008/07/09

					obstructing bars or unlawful gates from window to fire escape or provide approved type gate 1 sty west apt 1. located at apt 1		
1	1986/07/09 2008/05/21	A	508	423323 3276006 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color clgs & walls front west room 1 sty west apt 1. located at apt 1	NOV SENT 2008/05/21	2008/09/07
6	1986/08/29 2008/05/21	B	505	423325 3276004 Reissued	d26-10.01 adm code replace with new the broken or defective refrigerator gasket 3 sty south apt 6 kitchen. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1986/08/29 2008/05/21	B	521	423326 3276004 Reissued	d26-10.01, 10.05 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate 3 sty south apt 6. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1986/08/29 2008/05/21	B	701	423327 3276004 Reissued	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 3 sty south apt 6. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1986/08/29 2008/05/21	B	566	423328 3276004 Reissued	d26-13.03 adm code abate the nuisance consisting of vermin mice & roaches 3 sty south apt 6 kitchen. , section " "	NOV SENT 2008/05/21	2008/07/09
6	1986/08/29 2008/05/21	B	508	423329 3276004 Reissued	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color walls 3 sty south apt 6 bathroom. , section " "	NOV SENT 2008/05/21	2008/07/09
	1988/11/10 2008/05/21	B	505	423331 3276004 Reissued	§ 27-2005 adm code replace with new the broken or defective upper sash double glass 1 sty & 3 sty pub hall stairs windows 2 lights.	NOV SENT 2008/05/21	2008/07/09
8	1988/12/06 2008/05/21	B	510	423332 3276004 Reissued	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of rear room door padlock obstructing egress to fire escape window 4 sty south apt 8. , section " "	NOV SENT 2008/05/21	2008/07/09
1 1	2007/11/29 2007/12/03	A	501	7036063 3163125 Original	§ 27-2005 adm code properly repair the broken or defective window counter balance ; in the kitchen located at apt 1, 1st story, 1st apartment from north at east	NOV SENT 2007/12/03	2008/03/21

1 1	2007/11/29 2007/12/03	A	501	7036064 3163125 Original	§ 27-2005 adm code properly repair the broken or defective window counter balance in the bathroom located at apt 1, 1st story, 1st apartment from north at east	NOV SENT 2007/12/03	2008/03/21
Yards / Courts	2007/01/09 2007/01/11	B	506	6548325 2885621 Original	§ 27-2005 adm code replace with new the missing handrail between vestibule and 1st story at public hall stairs	NOV LATE 2007/04/11	2007/03/06 2007/04/11
Roof	1998/04/22 2006/07/28	A	700	423337 2771868 Reissued	§ 27-2045 adm code post a proper notice of smoke detector requirements, in a form approved by the commissioner, at or near the mail box missing.	NOV SENT 2006/07/28	2006/11/30
Roof	1998/04/22 2006/07/28	A	501	423338 2771868 Reissued	§ 27-2005 adm code properly repair the broken or defective lock vestibule door 1st sty public hall.	NOV SENT 2006/07/28	2006/11/30
Roof	1998/04/22 2006/07/28	A	529	423341 2771868 Reissued	§ 27-2005 adm code refit bulkhead door roof.	NOV SENT 2006/07/28	2006/11/30
Roof	1998/04/22 2006/07/28	A	483	423342 2771868 Reissued	§ 62 m/d law rearrange television and/or radio antenna to be at least 10 feet above roof and not attached to any fire escape or soil or vent line center.	NOV SENT 2006/07/28	2006/11/30
Roof	1998/04/22 2006/07/28	A	554	423343 2771868 Reissued	§ 27-2005 adm code paint metal in accordance with dept. regulation front roof cornice.	NOV SENT 2006/07/28	2006/11/30
73 4	2006/06/09 2006/06/15	B	508	6201555 2692115 Original	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color the entire ceiling in the bathroom located at apt 73, 4th story, 1st apartment from north at east	NOV SENT 2006/06/15	2006/08/08
73 4	2006/06/09 2006/06/15	B	501	6201559 2692115 Original	§ 27-2005 adm code properly repair the broken or defective bell buzzer/intercom system in the foyer located at apt 73, 4th story, 1st apartment from north at east	NOV SENT 2006/06/15	2006/08/08
73 4	2006/06/09 2006/06/15	B	566	6201562 2692115 Original	§ 27-2018 adm code abate the nuisance consisting of vermin mice in the entire apartment located at apt 73, 4th story, 1st apartment from north at east	NOV SENT 2006/06/15	2006/08/08
4FL 4	2006/06/05 2006/06/08	A	751	6194451 2687511 Original	§ 27-2077 adm code discontinue the rooming unit 1st room from east, john doe in the entire apartment located at apt 4fl, 4th story, 1st apartment from north at east	NOV SENT 2006/06/08	2006/09/30

	Yards / Courts	2001/07/23 2001/07/31	C	526 *	3909273 1701566 Original	§ 27-2005, 2007 adm code remove the illegal fastening double cylinder key operated lock installed at iron gate court, section at northwest	NOV SENT 2001/07/31	2001/08/16
	Yards / Courts	1998/04/22 2001/06/19	B	649 *	423334 1683356 Reissued	§ 27-2026 adm code remove all obstructions and repair all defects in south court drain.	NOV SENT 2001/06/19	2001/08/03
	Yards / Courts	1998/04/22 2001/06/19	B	506	423335 1683356 Reissued	§ 27-2005 adm code replace with new the missing 2nd 3rd wood steps front stairs treet cellar.	NOV SENT 2001/06/19	2001/08/03
	Roof	1998/04/22 2001/06/19	C	671	423336 1683357 Reissued	§ 27-2033 adm code post notice, in form approved by the department, stating the name and location of the person designated by the owner to have key to buildings heating system 1st sty public hall entrance boiler room.	NOT COMPLIED 2001/07/30	2001/07/05 2001/07/16
	Roof	1998/04/22 2001/06/19	B	505	423339 1683356 Reissued	§ 27-2005 adm code replace with new the broken or defective window glass 1st 3rd sty public hall.	NOV SENT 2001/06/19	2001/08/03

EXHIBIT B

DEED FOR BUILDING

NYSCEF

03/28/2021

0065020524

Form 302 (Rev. 10-1-76) - Borough and City Deed with Covenant against Grantor's Act - Individual or Corporation (single sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the ^{April} 17th day of ~~March~~, ^{* SO IN ORIGINAL} nineteen hundred and eighty-six
BETWEEN 1210 Clay Avenue, Inc. a domestic corporation with its 10467
principal office located at 32-30 Steuben Avenue, Bronx, NY

party of the first part, and HEE JA YANG residing at
221 East 32nd Street, New York, New York 10016

party of the second part,
WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County of Bronx, City and State of New York, bounded and described as follows:

Beginning at a point on the easterly side of Clay Avenue distant 34 feet, 6 inches southerly from the corner, formed by the intersection of the easterly side of Clay Avenue with the southerly side of 168th Street.

RUNNING THENCE easterly parallel with 168th Street and part of the distance through a party wall, 80 feet to the easterly side of Clay Avenue;

THENCE southerly parallel with Clay Avenue, 39 feet;

THENCE westerly parallel with 168th Street and part of the distance through a party wall, 80 feet to the easterly side of Clay Avenue;

THENCE northerly along the easterly side of Clay Avenue, 39 feet to the point or place of BEGINNING.

SAID PREMISES being known as 1210 Clay Avenue, Bronx, New York 10456

SUBJECT to an existing mortgage held by ANNA CILLO in the amount of 74,259.92 and to a secondary mortgage held by Central Federal Savings & Loan Association for the amount of 14,161.48 and to a 3rd mortgage held by Downtown in the amount of 941.65. Said premises are not encumbered by a Credit Line Mortgage.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part, has duly executed this deed the day and year first above written.

In presence of:
1210 CLAY AVENUE, INC.
[Signature]
by John Lopez, President

TAXMAP DESIGNATION
Dist.
Sec.
BL
Total

NYSCEF

03/28/2021

STATE OF (NEW YORK, COUNTY OF
On the day of 19 before me personally came

STATE OF NEW YORK, COUNTY OF
On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

6232

RECEIVED 0063070625
REAL ESTATE

JUN 2 - 1988

TRANSFER TAX
BRONX
COUNTY

DEED 003075
*12.00
CONF 003971
*1.00
EST 003977
*8062.00
EST 003977
*2228.00

STATE OF NEW YORK, COUNTY OF *Bronx*
On the *17th* day of *April* 19*88*, before me personally came *JOHN LOPEZ*

STATE OF NEW YORK, COUNTY OF
On the day of *04-02-88* personally came *JOHN LOPEZ*

to me known, who, being by me duly sworn, did depose and say that he resides at No. *32390 Sturges Ave Bronx NY 10472*

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. *1210 Clay Ave NYC*

that he is the President of *1210 Clay Ave Inc*, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Berinda Mellon
BERINDA MELLON
Notary Public, State of New York
No. 24-4788078
Qualified in Kings County
Commission Expires March 30, 19*89*

LOC. VER. BY ADDRESS *B*

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S A/E
TITLE No. *AA 32-454131 (Abante)*
1210 CLAY AVENUE, INC

SECTION 9
BLOCK 2426
LOT 61
COUNTY OR TOWN *BRONX*
TAX BILLING ADDRESS 1210 Clay Avenue

TO
YANG

Recorded At Request of Ticor Title Guarantee Company
RETURN BY MAIL TO.

Insured by
TICOR TITLE GUARANTEE

10838

Shirley Larson Co
10 East 40th St Apt 9201
New York NY
Zip No. *10016*

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Comp 1/2/88
186 JUN 2 1988

OFFICE OF CITY REGISTER
Bronx County
RECORDED
Witness my hand
and official seal

R. Delaine Ryan
CITY REGISTER

REC. FEE *100.00*
SST \$ *26*
RPT \$ *352*

EXHIBIT C

DOB VIOLATIONS

BIS Menu | Viol Details

FAQs | Glossary Mar 28, 2021



NYC Department of Buildings

DOB Violation Display for 051793LL629103956

Premises: 1210 CLAY AVENUE BRONX

BIN: 2002084 Block: 2426 Lot: 61

Issue Date: 05/17/1993

Violation Type: LL6291 - LOCAL LAW 62/91 - BOILERS BOILER

Violation Number: 03956

OATH/ECB No.:

Infraction Codes:

Description:

Click [here](#) to view the Civil Penalty Chart.

Violation Category: V - DOB VIOLATION - ACTIVE

Device No.: 00924156 - 01-RESIDENTIAL

Disposition:

Code: **Date:**

Inspector:

Comments:

BIS Menu | Viol Details

FAQs | Glossary

Mar 28, 2021



✉ [CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings

DOB Violation Display for 091697LL6291197880

Premises: 1210 CLAY AVENUE BRONX

BIN: [2002084](#) Block: 2426 Lot: 61

Issue Date: 09/16/1997

Violation Type: LL6291 - LOCAL LAW 62/91 - BOILERS BOILER

Violation Number: 197880

OATH/ECB No.:

Infraction Codes:

Description:

Click [here](#) to view the Civil Penalty Chart.

Violation Category: V - DOB VIOLATION - ACTIVE

Device No.: 00924156 - 01-RESIDENTIAL

Disposition:

Code:

Date:

Inspector:

Comments:

BIS Menu | Viol Details

FAQs | Glossary

Mar 28, 2021



[✉ CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings

DOB Violation Display for 020700LL629109262

Premises: 1210 CLAY AVENUE BRONX

BIN: 2002084 Block: 2426 Lot: 61

Issue Date: 02/07/2000
Violation Type: LL6291 - LOCAL LAW 62/91 - BOILERS BOILER
Violation Number: 09262
OATH/ECB No.:
Infraction Codes:
Description:
 Click [here](#) to view the Civil Penalty Chart.

Violation Category: V - DOB VIOLATION - ACTIVE
Device No.: 00924156 - 01-RESIDENTIAL

Disposition:

Code: **Date:**
Inspector:
Comments:

**NOTICES OF
ELECTRONIC
FILING**

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF

-----X

Plaintiff/Petitioner,
- against - Index No.

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)**

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see “Information for Attorneys” pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk’s Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: _____

Name

Address

Firm Name

Phone

E-Mail

To: _____

7/19/19

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF

-----X

Plaintiff/Petitioner,
- against - Index No.

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)**

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see “Information for Attorneys” pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk’s Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: _____

Name

Address

Firm Name

Phone

E-Mail

To: _____

7/19/19

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF

-----X

Plaintiff/Petitioner,
- against - Index No.

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)**

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see “Information for Attorneys” pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk’s Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: _____

Name

Address

Firm Name

Phone

E-Mail

To: _____

7/19/19

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF

-----X

Plaintiff/Petitioner,
- against - Index No.

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)**

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see “Information for Attorneys” pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk’s Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: _____

Name

Address

Firm Name

Phone

E-Mail

To: _____

7/19/19

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF

-----X

Plaintiff/Petitioner,
- against - Index No.

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)**

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see “Information for Attorneys” pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk’s Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: _____

Name

Address

Firm Name

Phone

E-Mail

To: _____

7/19/19

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF THE BRONX: HOUSING PART H

WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA

Petitioners,

-against-

HEE YANG

Respondent-Owner,
Managing Agent

-and-

NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT

Co-Respondent

-and

NEW YORK CITY DEPARTMENT OF BUILDINGS
Co-Respondent

NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

Co- Respondent

INDEX NO. L&T

**Ex Parte Order Granting
Leave to Proceed as a Poor
Person and Waive Court
Fees**

UPON the annexed affirmation of Ezinwanyi Ukegbu Esq., of Bronx Legal Services affirmed on March 28, 2021, and it appearing that the instant Petitioners have good and meritorious causes of action for violations of the Housing Maintenance Code and that Petitioners are unable to pay the costs, fees, and expenses necessary to proceed in this action, and that there is no other person beneficially interested in the recovery sought, it is hereby:

ORDERED, that the applicants are permitted to proceed in this action as poor persons, and it is further;

ORDERED, that where a formal complaint is necessary it is waived, and it is further;

ORDERED, that any and all statutory fees for the defense or prosecution of this action are waived and the statutory fee for filing a Notice of Appeal in this action is waived, and it is further;

ORDERED, that in the event of any recovery in favor of the applicants, the recovery shall be paid to the Clerk of Court to await distribution pursuant to Court Order and that the Order of Distribution shall provide for the payment of the costs and fees which would have been paid had the applicant brought this cause of action other than as a poor person and it is further;

ORDERED that service of a copy of this Order, together with a copy of the papers upon which it is granted, upon all Respondents by certified mail, return receipt requested, or by overnight mail, or by email as indicated below, on or before March 30, 2021, 2021, shall be deemed good and sufficient service; and it is further

ORDERED that such service may be made upon Co-Respondent New York City Department of Housing Preservation and Development at its Housing Litigation Bureau, 100 Gold Street, New York, New York 10038; or email service to Sarah Eddison – eddisons@hpd.nyc.gov; Mirta Yurnet-Thomas – yurnetm@hpd.nyc.gov; and it is further

ORDERED that such mailing service may be made upon Respondent-Owner HEE YANG at 1210 Clay Avenue, Apt 4. Bronx, New York 10456; and it is further

ORDERED that such mailing service may be made upon the Respondent Managing Agent at 1210 Clay Avenue, Apt 4. Bronx, New York 10456; and it is further

ORDERED that such mailing service may be made upon Co-Respondent New York City Department of Health and Mental Hygiene at 42-09 28th Street, Long Island City, New York 11101; and it is further

ORDERED that such mailing service may be made upon Co-Respondent New York

City Department of Buildings at 280 Broadway, 7th Floor. New York, NY 10007.

ORDERED, that these papers, together with proof of service thereof, may be returned on or before the return date of this proceeding.

Dated: March 29, 2021
Bronx, New York

J.H.C.
APPROVED
NJENNING , 3/29/2021, 10:29:18 am

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF THE BRONX: HOUSING PART H

WILLIAM HEIDBREDER, BOUBABASS MAKADJI,
LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN
BROWN and FIOR D. BATISTA-LORA

Petitioners,

-against-

HEE YANG

Respondent-Owner,
Managing Agent

-and-

NEW YORK CITY DEPARTMENT OF HOUSING
AND PRESERVATION DEVELOPMENT

Co-Respondent

-and

NEW YORK CITY DEPARTMENT OF BUILDINGS
Co- Respondent

NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

Co- Respondent

INDEX NO. L&T

**AFFIRMATION IN SUPPORT
OF APPLICATION TO WAIVE
COURT FEES**

The undersigned, an attorney duly admitted to practice in the State of New York, deposes under the penalties of perjury and says:

1. Petitioners WILLIAM HEIDBREDER, BOUBABASS MAKADJI, LASANNA SISSOKO, ABOUBAKAR OMAR, KEVIN BROWN and FIOR D. BATISTA-LORA are represented by Bronx Legal Services, a not-for-profit organization which provides free legal services to indigent persons.

2. Bronx Legal Services affirms that it has determined that petitioners are unable to pay the court costs, fees, and expenses necessary to prosecute this action, including the costs incident to transfer.

3. Waiver of all fees and costs, pursuant to CPLR 1101(e) is hereby requested for petitioners.

Dated: March 28, 2021
Bronx, New York

Respectfully Submitted



Bronx Legal Services
Ezinwanyi Ukegbu, Esq.
369 East 148th Street, 2nd Floor
Bronx, New York 10455
Tel: 718-928-3706
Email: eukegbu@lsnyc.org