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AAMP Holding LLC v. Rubenstein

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Civil Court of the City of New York
County of Richmond
Part 4

Index Number 52684/19
Motion Cal. # _____ Motion Seq. # _____

DECISION/ORDER

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

AAMP Holding LLC
Claimant(s)/Plaintiff(s)/Petitioner(s)
against
Rubenstein + Espinoza
Defendant(s)/Respondent(s)

Papers	Numbered
Notice of Motion and Affidavits Annexed.....	_____
Order to Show Cause and Affidavits Annexed.....	_____
Answering Affidavits	_____
Replying Affidavits.....	_____
Exhibits	_____
Other.....	<u>ERAP: 65HEE</u> <u>LRAP: ?</u>

Upon the foregoing cited papers, the Decision/Order on this Motion to remove case from

ERAP stay + X-mtn to dismiss _____ is as follows:

Legal Aid Society appears for Mr. Rubenstein + states he vacated as of 1/20/22.

Staten Island Legal Svcs appears for Ms. Espinoza who still resides at the property. Petitioner has failed to appear.

Petitioner's motion seeks to remove the ERAP stay + Respondent's Cross-motion seeks dismissal because Petitioner's motion + affidavit (doc. #25 p5) acknowledges petitioner's application for + receipt of the LRAP monies, which would stay Petitioner's ability to evict under this type of Holdover.

Based upon the above circumstances, the cross-motion is granted + the case is dismissed. The motion is denied. The judgment + warrant vacated.

Date

Judge, Civil Court

5/12/22

HON. ELEANORA OFSHEIN