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2022-08-22

### Arverne Preservation LLC v. Gomez

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#### Recommended Citation

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Civil Court of the City of New York  
County of Queens

Index Number 68570/19  
Motion Cal. # \_\_\_\_\_ Motion Seq. # \_\_\_\_\_

8/1/22 Part D

**DECISION/ORDER**

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

Arverne Reservations LLC  
Claimant(s)/Plaintiff(s)/Petitioner(s)  
against  
Tania Gomez  
Jan Doe  
Defendant(s)/Respondent(s)

Papers	Numbered
Notice of Motion and Affidavits Annexed.....	_____
Order to Show Cause and Affidavits Annexed.....	<u>1</u>
Answering Affidavits .....	<u>2</u>
Replying Affidavits.....	_____
Exhibits .....	<u>3</u>
Other.....	<u>4</u>

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

OTSC seeking to vacate the ERAP stay + upon a <sup>binding</sup> is as follows:  
that respondent is not entitled to a stay for the issuance + execution of a warrant is **DENIED**.

Petitioners arguments about due process + the realistic possibility of the landlord receiving funds from OTSA notwithstanding, **NOT ONE** of the numerous cases cited by Petitioner, is even remotely relevant to this proceeding + Petitioner makes <sup>absolutely</sup> no legally cognizable argument for the stay to be vacated.

This is a non-payment proceeding wherein the petitioner is seeking all of the arrears. The case is SOLELY about the money; and if the tenant is able to pay the arrears the petitioner will have no means to evict. Case Adj. to the ERAP administrative calendar.

Date

Judge, Civil Court

8/1/22

Naura Res