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Schwartz v. Pattona

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Civil Court of the City of New York
County of Queens: Housing Part P
Ronald J. Schwartz, Esq., Successor Trustee of the
Nicholas J. Riciputo Self-Declaration of Living Trust

Petitioner

QL&T# 309174/21

-against-
Dean Pattona

Decision/Order
Respondents

In this holdover proceeding, commenced by service of a 90 day notice, both sides were represented by counsel. After trial, Petitioner is granted a final judgment of possession. A warrant of eviction may issue forthwith, but the execution of the warrant is stayed through December 31, 2022 for Respondent to vacate. The Earliest Execution Date is January 2, 2023.

No use and occupancy is awarded as Petitioner failed to establish the premises is registered as a non-owner occupied single family home. NYC Admin Code 27-21-7(b). Respondent is granted time to vacate based upon the length of his occupancy, his financial situation, his medical conditions and his prior service to the community.

This decision/order is without prejudice to Respondent seeking relief from other Courts. This constitutes the decision and order of the Court.

Dated: September 16, 2022
Queens, New York

Hon. John S. Lansden

HON. JOHN S. LANSDEN