

NOTICE OF PETITION and PETITION TO RECOVER REAL PROPERTY HOLDOVER

JOHN McFADDEN, ,

Petitioner (Landlord)

DORIS L. SASSOWER AND ELENA SASSOWER., 16 LAKE STREET, APARIMENT 2C WHITE PLAINS, NEW YORK 10603..

Against

Respondent (Tenant)

To The Respondent(s) above named and described in possession of the premises hereinafter described of claiming possession thereof:

TAKE NOTICE that a hearing on the following petition to recover possession of said premises will be held on the 14th day of December 1978 at 9:00 o'clock in the fore noon before the above named court at 279 Hamilton Avenue, White Plains, NY 10601. TAKE FURTHER NOTICE that in accordance with Sec. 743, RPAPL, demand is hereby made for compliance with said section and that answer be served upon the attorney for the landlord three days prior to return date.

TAKE FURTHER NOTICE that demand is made in the petition herein for judgment against you, the Respondent Tenant for possession of the premises, for rent due of \$ and for reasonable attorneys fees in the amount of \$160.00 per hour plus costs and disbursements.

TAKE FURTHER NOTICE that if you fail to interpose and establish any defense that you may have to the allegations of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

DATE: December 5, 1988

Attorney for Petitioner:

Stephen J. Lehrman, 199 Main St. White Plains, N.Y. 10601

PETITION

The petition of John McFadden

respectfully shows that:

- 1. Petitioner is the owner and landlord of the premises.
2. Respondent Doris L. Sassower and Elena Sassower is the tenant of said premises who entered in possession thereof under month to month rental agreement made on or about between respondent and the landlord, wherein respondent promised to pay to landlord as rent \$ each month in advance on the 1st day of each month.
3. Respondents are now in possession of said premises and said premises complies with the warranty of habitability., SEC. 235B
4. The term for which said premises were rented by the respondent tenant expired on 11-30-88 pursuant to the notice of termination, a copy of which is annexed hereto, and which was served on tenant on 10-17-88
The facts on which this proceeding are based are set forth in the annexed notice.
7. The respondents continue in possession of the premises without permission of the landlord, or of the petitioner after the expiration of said term.
8. The property herein sought to be recovered is the residence of the tenant herein.
9. Petitioner requests reasonable attorney fees of \$160.00 per hour plus costs and disbursements.
11. The premises being known as 16 Lake Street, Apt. 2C, White Plains, NY 10603.

Petitioner requests: a final judgment awarding possession of the premises to the petitioner-landlord, the issuance of a warrant to remove the respondents from possession of the premises, a judgment for rent in arrears against respondent tenant for \$ with interest from 19 , attorneys fees, in the amount of \$160.00 per hour plus costs and disbursements.

DATED: December 5, 1988

Petitioner

The name signed must be printed beneath

JOHN McFADDEN

STATE OF NEW YORK, COUNTY OF WESTCHESTER

ss.:

JOHN McFADDEN

being duly sworn deposes and says that deponent is the petitioner in the foregoing petition and has read said petition and that the contents of said petition subscribed are true to the knowledge of deponent.

Sworn to before me on December 5, 1988

Notary Public, State of New York, Qualified in Westchester County, Term Expires

The name signed must be printed beneath JOHN McFADDEN

ATTORNEY FOR PET: Stephen J. Lehrman, 199 Main St., White Plains, N.Y. 10601

NOTARY PUBLIC

Signature

Vertical text on the left margin: If you are dependent upon a person in the military service of the United States or the State of New York, advise the court at the hearing, in order to protect your rights.

Vertical text on the left margin: IMPORTANT TO TENANT -

Vertical text on the left margin: Notary Public, State of New York, Qualified in Westchester County, Term Expires

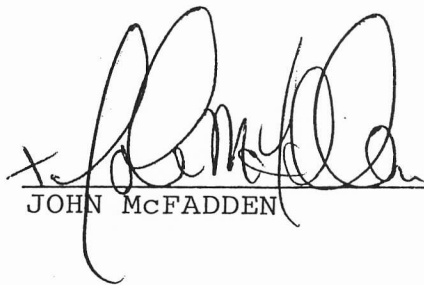
TO: Doris L. Sassower and Elena Sassower
16 Lake Street, Apartment 2-C
White Plains, New York 10603

PLEASE TAKE NOTICE that the undersigned landlord does hereby elect to in accordance with Section 232B of Real Property Law of the State of New York, and does terminate your tenancy as of November 30th, 1988 and the tenancy of all those claiming under you with respect to those certain premises described as follows:

16 Lake Street, Apartment 2-C
White Plains, New York 10603

YOU ARE FURTHER NOTIFIED that you are required to remove from the said premises on or before November 30th, 1988.

UPON YOUR FAILURE TO VACATE said premises, the undersigned landlord will commence summary proceedings to remove you therefrom.



JOHN McFADDEN

Dated: White Plains, NY
October 12, 1988

ss.:

MARVIN POTASH

, being duly sworn, deposes and says: That deponent is not a party to this proceeding, is over 18 years of age and resides at

NEW YORK STATE

, New York. Deponent further says that on the 17th day of October, 1988, at 16 Lake Street

White Plains, N.Y. Apt. 2C

, at 8:45 A.M., He did serve the

within notice of petition and petition on Doris L. Sassower and Elena Sassower

Termination

, in the following manner:

- () - By personally delivering to and leaving with the respondent, in hand, at the address above given.
- () - By gaining admittance to said property and delivering to and leaving a copy thereof personally with _____, a person of suitable age and discretion, who was willing to receive same and who resided -- was employed -- at said property.
- (XX) - By affixing a copy thereof upon a conspicuous part, to wit: -- the entrance door of said property; deponent was unable to gain admittance thereat or to find a person of suitable age and discretion willing to receive same.
- (XX) - And within 1 day thereafter, on the 18th day of October, 1988 by mailing a copy thereof enclosed in a postpaid properly addressed wrapper to respondent at the property sought to be recovered which is respondent's residence ~~or corporate respondent's principal office or principal place of business~~ by Registered-Certified Mail, and Regular Mail.
- (XX) - Which is individual respondent's last -- residence address -- ~~place of business or employment address~~
- () - Which is corporate respondent's last known principal office or principal place of business within the state by depositing the same in -- a post office -- official depository under the exclusive care and custody of the United States Postal Service within the state.
- () - A description of the person served with the process listed above is:

Sex: Skin Color: Age: Weight: Height:

Hair: Other:

deponent attempted service on 10/14/88

at 6:15 P.M.

Sworn to before me, this

18th day of October, 1988

MARVIN POTASH

ANNE POTASH
 Notary Public, State of New York
 No. 3141580
 Qualified in Kings County
 Commission Expires March 30, 1989

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Justice

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RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	ELINA SASSOWER
Street and No.	16 LAKE ST
P.O. State and ZIP Code	WHITE PLAINS, NY 10610
Postage	\$ 05
Insurance Fee	\$ 00
Special Delivery Fee	\$ 08
Restricted Delivery Fee	\$ 00
Return Receipt (Showing Date Delivered)	\$ 00
TOTAL Postage and Fees	\$ 13
Postmark or Date	

P 770 481 842

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	DORIS L SASSOWER
Street and No.	16 LAKE ST
P.O. State and ZIP Code	WHITE PLAINS, NY 10610
Postage	\$ 05
Insurance Fee	\$ 00
Special Delivery Fee	\$ 08
Restricted Delivery Fee	\$ 00
Return Receipt (Showing Date Delivered)	\$ 00
Return Receipt Showing to whom, Date, and Address of Delivery	\$ 00
TOTAL Postage and Fees	\$ 13
Postmark or Date	

Warrant issued day of 19.....