

NOTICE OF PETITION
and
PETITION TO
RECOVER REAL PROPERTY
HOLDOVER

JOHN McFADDEN, ,
Petitioner (Landlord)

GEORGE SASSOWER, ,
Against
16 LAKE STREET, APARTMENT 2C
WHITE PLAINS, NEW YORK 10603..
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 10th day of April 197 89 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 pursuant to the lease.

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: April 3, 1989

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 George Sassower is the tenant of said premises who entered in possession thereof under a 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 3/31/89 pursuant to the notice of termination, a copy of which is annexed hereto, and which was served on tenant on 2/27/89. The facts on which this proceeding are based are set forth in the annexed notice. ~~XXXXXX A copy is annexed hereto. XXXXX~~
- 5. ~~XXXXXX This proceeding was served on the Division of Housing on XXXXX~~
- 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. ~~XXXXXX Housing Code provisions XXXXX and XXXXX of the E.P.C.A. of 1974 XXXXX~~
- 11. The premises being known as 16 Lake Street, Apt. 2C, White Plains, NY.

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 , reasonable attorneys fees of \$160.00 per hour plus costs and disbursements pursuant to the lease.

DATED: April 3, 1989

Petitioner: *[Signature]*
The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF WESTCHESTER ss.: JOHN McFADDEN
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 by said petitioner subscribed are true to the knowledge of deponent. ~~XXXXXX This proceeding was served on the Division of Housing on XXXXX~~

Sworn to before me on April 3, 1989
Notary Public, State of New York
ELAINE GRACE ABRAHAM
Qualified in Westchester County
Term Expires 12/2, 1989
Attorney for PET: Stephen J. Lehrman, 199 Main St., White Plains, N.Y. 10601
JOHN McFADDEN
[Signature]
The name signed must be printed beneath

IMPORTANT TO TENANT - 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.

To: George Sassower
16 Lake Street, Apartment 2C
White Plains, New York 10603

COUNTY OF WESTCHESTER, STATE OF NEW YORK, and all other persons
occupying the above premises.

PLEASE TAKE NOTICE that the undersigned landlord does hereby elect to,
in accordance with Section 232B of the Real Property Law of the State of
New York terminate your tenancy as of March 31st, 1989 and the tenancy
of all those claiming under you with respect to those certain premises
described as follows:

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

YOU ARE FURTHER NOTIFIED that you are required to remove from the said
premises on or before March 31st, 1989.

TAKE FURTHER NOTICE that upon your failure to vacate said premises, the
undersigned landlord will commence summary proceedings to remove you
therefrom and will seek attorneys fees, costs, disbursements and damages
in addition to use and occupancy.

By: X



JOHN McFADDEN

Dated: February 13, 1989
White Plains, NY

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

that on the 27th day of February, 1978, at 16 Lake Street White Plains, N.Y. Apt. 2C

at 7:30 a.m., He did serve the within notice of ~~petition and petition~~ termination on George Sassower, 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.
- (XXX) - 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 28th day of February, 1989 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 ~~or corporate respondent's principal office or principal place of business, by Registered-Certified Mail, and Regular Mail~~
- (XXX) - 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 spoke to a man thru the door and was told to put paper under the door.

Sworn to before me, this 28th day of February, 1989

MARVIN POTASH *[Signature]*

[Signature]
MARVIN POTASH
Notary Public, State of New York
No. 3141560
Qualified in Kings County
Expiration Expires 12/31/90

Before Justice

Petitioner Landlord

Respondent Tenant

against

NOTICE OF PETITION & PETITION
HOLDOVER

Rent \$
the day of 19.....
at M.

The Petitioner appears on 19.....
and demands the rent and possession of the premises
within mentioned for the non-payment of the rent.
The Respondent, Tenant

P 822 644 974

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to	GEORGE SASSOWER
Street and No.	16 LAKE ST
P.O., State and ZIP Code	WHITE PLAINS NY
Postage	
Collection Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom and Date Delivered	
Date and Address of Petitioner	
TOTAL	
Postmark or Date	

Stamp: WESTCHESTER N.Y. 10602

in favor of Landlord
Reason of order that and all Petitioner by award
ke
... 19 ...
ke