

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART B

Index No.: 6310/2015

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GREGORY L. SCOTT,

Petitioner,

-against-

NOTICE OF MOTION

KOSOVO PROPERTIES, INC.,

Respondent,

Premises: 83 Park Terrace West
Apartment 3A
New York, New York 10034

-----X
PLEASE TAKE NOTICE, that upon the annexed affidavit of Joey Nezaj, sworn to on February 12, 2016 and upon all the proceedings heretofore had herein, the undersigned will move this Court by Motion at Housing Part B, Room 1166, located at 111 Centre Street, New York, New York on March 3, 2016 at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard for an Order restoring this Housing Part proceeding to this Court's calendar, Ordering the Petitioner to provide access to the Respondent to correct certain violations, along with such other and further relief as this Court deems just and proper.

Dated: Bronx, New York
February 12, 2016

Yours, etc.
Stark Law PLLC
1325 Castle Hill Avenue
Bronx, New York 10462
(718) 792-1200

To: Gregory L. Scott
83 Park Terrace West
Apartment 3A
New York, New York 10034

They never showed so I re-filed and
hearing set for 3/11/16. See next set of papers.

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART B

Index No.: 6310/2015

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GREGORY L. SCOTT,

Petitioner,

-against-

AFFIDAVIT IN SUPPORT

KOSOVO PROPERTIES, INC.,
Respondent,

Premises: 83 Park Terrace West
Apartment 3A
New York, New York 10034

-----X
STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

Joey Nezaj being duly sworn deposes and sets forth the following pursuant to the penalties of
perjury:

1. I am an agent of Landlord Corporation and assist in operating the building on a day-to-day basis.
2. I submit this affidavit in support of the motion to restore based upon personal knowledge.
3. Pursuant to the Consent Order dated January 8, 2016, Petitioner was to provide access to the landlord on January 25, 2016 and January 26, 2016 to correct certain violations. A copy of the January 8, 2016 Order is attached hereto.
4. While the Petitioner did allow access on the first access date of January 25, 2016, not all of the violations were corrected on that date and my workers and I needed the second access date of January 26, 2016 to complete work.
5. Unfortunately, the Petitioner denied access to my workers and me on January 26, 2016.
6. Respondent needs access to the Petitioner's apartment as soon as possible to complete

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correcting the subject violations.

7. Petitioner's failure to provide access to the Respondent greatly prejudices the Respondent.
8. This motion should be granted in its entirety.

WHEREFORE it is respectfully requested that Respondent's motion to restore this matter to the Court's calendar and an Order compelling the Petitioner to provide access be granted in all respects along with such other relief deemed appropriate by the Court.

Sworn to before me, this
12th day of February, 2016

NOTARY PUBLIC


Joey Nezaj

VADIM GOLDSHTEYN
Notary Public, State of New York
No. 02G08103171
Qualified in Bronx County
Commission Expires December 15, 2019

Yours



Index #: LT-006310-15/NY
Seq #: 2
Resp OSC Applications: 0

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Order to Show Cause to Restore for Compliance and Assessment of Civil Penalties

Gregory L. Scott

Petitioner(s)

-against-

Hamdi Nazaj; Kosova Properties Propert
Respondent(s)

Property Address:

83 Park Terrace W

Apt 3 A

New York, NY 10034-1337

AND

The Department of Housing Preservation
and Development (DHPD)

Upon the annexed affidavit of Gregory L. Scott (Petr), sworn to on March 3, 2016,
the Order of _____ dated _____, and upon all the papers and proceedings herein:

Let the Respondents(s) or His/Her/Their Attorney(s) Show Cause at a Motion Term of the:

Civil Court of the City of New York

Housing Part: Part B - HP/HPD

Room: 1166

Located at: 111 Centre Street, New York, NY 10013

On: **March 11, 2016**

At: **9:30 AM**

or as soon thereafter as counsel may be heard, why an Order should not be made:

restoring the case to the calendar for a compliance hearing and assessment of civil penalties and/or granting such other and further relief as may be just.

Service of a copy of this Order to Show Cause and Annexed Affidavit upon the opposing Party's Attorney (or if he/she has none, on the Party) personally or by Certified Mail, Return Receipt Requested, and also upon the Department of Housing Preservation and Development by Certified Mail, Return Receipt Requested, on or before 3/4/16 shall be deemed good and sufficient. Proof of such service may be filed with the Clerk in the Part indicated above on the return date of the Order to Show Cause.

If the Landlord is registered with the Department of Housing Preservation and Development, personal service or mailing may be made to the Landlord at the address indicated in such registration.

Mailing to the Department of Housing Preservation and Development shall be made to the:
Housing Litigation Bureau, 3rd Floor, 100 Gold Street, New York, NY 10036.

Attorney (or Party):

Hamdi Nazaj

2126 Muliner Ave

Bronx, NY 10462-2055

Kosova Properties

2126 Muliner Ave

Bronx, NY 10462-2055

Date: 3/3/16

Denied: _____

Generated: March 3, 2016

Phyllis K. Saxe, Housing Court Judge



Affidavit in support of an Order to Show Cause to Restore for Compliance and Assessment of Civil Penalties

Gregory L Scott

Petitioner(s)

-against-

Hamdi Nazaj; Kosova Properties Propert
Respondent(s)

Property Address:

83 Park Terrace W

Apt 3 A

New York, NY 10034-1337

AND

The Department of Housing Preservation
and Development

State of New York - County of New York ss:

Gregory L Scott, being duly sworn, deposes and says:

1. Party: I am the _____ in the above proceeding.
(Petitioner / a [relative/friend/etc.] of the Petitioner)
2. History: An Order of the Court directing the correction of violations was made, or a stipulation between the parties was entered into, on _____.

3. Facts: The following violations/conditions have not been corrected:

- 1) ~~Chain guard~~ 4) ~~Cut 3rd outside key for legal roommates as of 1/16/16~~
2) ~~Bathroom door OVER-painted~~ 5) _____ 8) _____
3) ~~and now won't latch~~ 6) _____ 9) _____

Tenant's
Initials

4. Prior Order: GS a) I have not requested a prior Order to Show Cause for a Compliance Hearing on this case.
b) I have requested a prior Order to Show Cause for a Compliance Hearing in this case but I am making this further application because:

Joey Nazaj perjured himself in claiming * he and workers were "denied access." Three witnesses will testify under oath he never even showed

5. Requests: I respectfully request that:
- this case be restored to the calendar for a Compliance Hearing and assessment of civil penalties (fine) against my landlord since violations have not been corrected pursuant to the Court's Order.
 - because I am appearing *pro-se*, without an attorney or process server, permission be granted to serve these papers myself, by Certified Mail, Return Receipt Requested.
 - that the attached Order be signed.

** Affidavit of Support, Feb 12, 2015*

Sworn to before me this 3 day of Mar, 2015

(Sign)

Gregory Scott
Signature of Petitioner

PK SCC
Signature of Court Employee and Title, or Notary Public