

Supreme Court of the State of New York  
Appellate Division: Second Judicial Department

D34323  
G/kmb

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Argued - February 9, 2012

PETER B. SKELOS, J.P.  
THOMAS A. DICKERSON  
RANDALL T. ENG  
SANDRA L. SGROI, JJ.

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2011-00188

DECISION & ORDER

In the Matter of Greene Residence, LLC, appellant,  
v New York City Department of Housing Preservation  
and Development, respondent.

(Index No. 7865/09)

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Stern & Stern, Brooklyn, N.Y. (David Lyle Stern of counsel), for appellant.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Julian L. Kalkstein of counsel; Diana Lawless on the brief), for respondent.

In a proceeding pursuant to CPLR article 78 to vacate and set aside liens imposed by the New York City Department of Housing Preservation and Development upon certain real property owned by the petitioner for unpaid emergency repairs, the petitioner appeals from a judgment of the Supreme Court, Kings County (Schneier, J.), dated November 12, 2009, which denied the petition and, in effect, dismissed the proceeding.

ORDERED that the judgment is affirmed, with costs.

Contrary to the petitioner's contention, since the New York City Department of Housing Preservation and Development filed, in its records, relevant purchase or work orders related to the subject property, as required by Administrative Code of the City of New York § 27-2144, the petitioner had notice of forthcoming RPAPL article 7-A liens when it purchased the property (*see* Administrative Code of City of NY § 27-2144; *Rosenbaum v City of New York*, 96 NY2d 468). Therefore, the petitioner was not entitled to annulment of the liens.

The petitioner's remaining contention is without merit.

March 20, 2012

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OF HOUSING PRESERVATION AND DEVELOPMENT

Accordingly, the Supreme Court properly denied the petition and, in effect, dismissed the proceeding.

SKELOS, J.P., DICKERSON, ENG and SGROI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court