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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 175 SSM 11
Guillermo Robles,
Appellant,
v.
New York City Housing Authority,
Respondent.

Submitted by Susan R. Nudelman, for appellant.
Submitted by Joseph C. Fegan, for respondent.

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On review of submissions pursuant to section 500.11 of the Rules,
order reversed, with costs, and defendant's motion for summary
judgment dismissing the complaint denied. The Appellate Division
improperly concluded that defendant was entitled to summary
judgment, as defendant failed to show that it was prejudiced by
any defect in plaintiff's notice of claim (see generally General
Municipal Law § 50-e [6]), and triable issues of fact remain.
Chief Judge Lippman and Judges Graffeo, Read, Smith, Pigott,
Rivera and Abdus-Salaam concur.

Decided June 10, 2014