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

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No. 231 SSM 32  
Estate of Helen Del Terzo, et  
al.,  
Respondents,  
v.  
33 Fifth Avenue Owners Corp.,  
Appellant.

Submitted by Bryan J. Mazzola, for appellant.  
Submitted by John J. Malley, for respondents.  
Council of New York Cooperatives and Condominiums,  
amicus curiae.

\* \* \* \* \*

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, and certified question answered in the affirmative. The Appellate Division did not err in holding defendant 33 Fifth Avenue Owners Corp. breached paragraph 16(b) of its proprietary lease by unreasonably withholding consent to transfer shares allocated to an apartment and the lease appurtenant thereto from plaintiff Estate of Helen Del Terzo to plaintiffs Michael Del Terzo and Julius Robert Del Terzo. Defendant's remaining arguments are unavailing. Chief Judge DiFiore and Judges Pigott, Rivera, Abdus-Salaam, Stein, Fahey and Garcia concur.

Decided December 20, 2016