

SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

PRESENT: Hon. Sherry Klein Heitler
Administrative Order

HOLLAND AVENUE 2006 LLC,

Plaintiff,

- v -

INDEX NO. 652985/14

JAY PODOLSKY; SHARON OLSON; SHIRLEY
REINFELD; GEORGE DFOUNDI; NEW HOLLAND
REALTY LLC; TRISTATE HOLDINGS REALTY LLC;
AMSTERDAM HOSPITALITY LLC; and JOHN DOES
1-20,

Defendants.

Administrative Order:

By letter dated February 18, 2015, plaintiff's counsel timely applies for a transfer of this special proceeding from I.A.S. Part 15 (Rakower, J.) to the Commercial Division. To date, no opposition has been received.

This is an action for fraud, conversion, breach of fiduciary duty and other wrongful conduct in connection with the ownership and management of three residential apartment buildings located in the Bronx, which house homeless families. Uniform Rule 202.70 (c) (3) specifically provides that cases involving residential real estate disputes are non-commercial. As this action concerns the ownership and management of residential buildings, it does not qualify for assignment to the Commercial Division.

For the foregoing reasons, respondents' request to transfer this proceeding to the Commercial Division is denied.

Dated: February 24, 2015

ENTER: _____

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION