

**Department of Hous. Preserv. & Dev. of the City of
N.Y. v Singh**

2025 NY Slip Op 35238(U)

December 1, 2025

Civil Court of the City of New York, Bronx County

Docket Number: Index No. LT-316487-24/BX

Judge: Diane E. Lutwak

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This opinion is uncorrected and not selected for official publication.

CIVIL COURT OF THE CITY OF NEW YORK
BRONX COUNTY: HOUSING PART T

Index # LT-316487-24/BX

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DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT OF THE CITY OF NEW YORK,
Petitioner,

-against-

DECISION/ORDER

KARAN SINGH, RAJMATTIE PERSAUD A/K/A
RAJMATTIE PERSAUD SINGH, SEAN CAMPBELL
RAFAEL BAEZ, and FORDHAM FULTON REALTY CORP,
Respondents.

Premises:

2410 Washington Avenue, Bronx, NY 10458
A/K/A 480 East 188th Street, Bronx, NY 10458

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Hon. Diane E. Lutwak, HCJ:

Respondent Fordham Fulton Realty Corp having filed on November 29, 2025 a "Notice of Bankruptcy" [NYSCEF Doc #246] in this proceeding to enforce the New York State Multiple Dwelling Law (MDL) and the New York City Housing Maintenance Code (HMC), commenced by the Department of Housing Preservation and Development of the City of New York (Petitioner or DHPD) against the owners of a residential apartment building located at 2410 Washington Avenue a/k/a 480 East 188th Street in the Bronx, New York; and

Respondent Fordham Fulton Realty Corp having asserted that this proceeding is stayed pending an order by the Bankruptcy Court for the Eastern District of New York vacating such stay under Docket Number 25-45747; and

Petitioner having filed a Letter Response to Respondent Fordham Fulton Realty Corp's "Notice of Bankruptcy", with supporting documents [NYSCEF Doc ##247-249]; and

It being within this court's jurisdiction to determine whether the automatic stay provision of the Bankruptcy Code, 11 USC § 362(a), applies to proceedings before it, *Iouldacheva v Filene's Basement Corp* (2004 NY Slip Op 30326[U], 2004 NYLJ LEXIS 3084 [Sup Ct NY Co 2004]); *In re Baldwin-United Corp Litig* (765 F2d 343, 347 [2nd Cir 1985]); accordingly,

It is hereby ORDERED that any stay triggered by Respondent Fordham Fulton Realty Corp.'s bankruptcy petition is not applicable or effective herein. The "automatic stay" typically triggered by a bankruptcy filing is not applicable to the "commencement or continuation of an action or proceeding by a governmental unit ... to enforce such governmental unit's ... police and regulatory power", 11 USC § 362(b)(4). *See, e.g., People v New Woman, Inc* (197 AD2d 525, 526, 602 NYS2d 419, 420 [2nd Dep't 1994]).

The conference scheduled for **December 2, 2025 at 2:15 p.m.** on Petitioner's motion for sanctions against Respondents and their attorneys will proceed as scheduled. *See, e.g., Janis v Janis* (179 Misc2d 199, 199, 684 NYS2d 426, 427 [Sup Ct NY Co 1998]).

This constitutes the Decision and Order of this Court, which is being uploaded to NYSCEF.



Diane E. Lutwak, HCJ

Dated: Bronx, New York
December 1, 2025

APPROVED
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