

Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE THOMAS D. RAFFAELE IA PART 13
Justice

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In the Matter of the Application of
867 Onderdonk LLC,

Petitioner,

Index No. 16407/14

for a Judgment pursuant to Article 78 of the
Civil Practice Law and Rules,

Sequence No. 1

-against-

Fully Submitted : 2/23/15

New York State Division of Housing and
Community Renewal,

Respondent.

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The following papers numbered 1 to 5 read on this petition by 867 Onderdonk, LLC, for a judgment, pursuant to Article 78 of the CPLR, reversing the September 12, 2014 decision denying the Petition for Administrative Review filed by 867 Onderdonk LLC on the grounds that such decision was arbitrary, capricious and against the weight of the evidence and granting such other and further relief as the court may deem just and proper.

PAPERS NUMBERED

Notice of Petition-Petition-Exhibits-Affidavits..... 1-4
Stipulation of Settlement to Remand to DHCR..... 5

Inasmuch as the parties have agreed to remand this matter to DHCR for further processing according to the February 23, 2015 stipulation incorporated herein by reference, the relief sought by petitioner is denied as academic.

Accordingly, it is ORDERED AND ADJUDGED that the petition is denied and the proceeding is dismissed.

Dated: February , 2015

THOMAS D. RAFFAELE, J.S.C.