

Legal Alert: NYS Supreme Court Grants Owners' Application to Enjoin Tenant's Nuisance Behavior

April 15, 2021

As detailed in the New York Post article linked below, a building owner has a tenant who turned his Tribeca apartment into a "bottle nightclub", where he hired party promoters, bouncers and DJs to host huge parties at the premises in which alcohol and drugs were illegally sold to partygoers, all of whom paid him \$100 for entry each week. Needless to say, the tenant's extreme nuisance behavior exposed the landlord to thousands of dollars in fines from the City and created a dangerous environment at the apartment. Melissa Levin, Esq., a Horing Welikson Rosen & Digrugilliers, P.C. partner who represented the owner, immediately sought relief in Housing Court. When that Court failed to grant an application to expeditiously place the case on its calendar, Melissa and associate Christian Allimonos, Esq. filed an Order to Show Cause in Supreme Court seeking a preliminary injunction enjoining the tenant from hosting these parties at the apartment, and also compelling him to provide access to the owner and City agencies. Yesterday, the Court agreed with the owner's position and issued an order granting our client the relief sought.

This is a significant victory for building owners as it presents a creative way to compel tenants to cease nuisance behavior more quickly than it would take for the Housing Court to adjudicate the matter. Please consult one of our attorneys if you think you have a situation in any of your buildings where this approach may be needed.

The following is a link to the New York Post article highlighting the case:

<https://nypost.com/2021/04/13/owner-of-nyc-apartment-turned-club-can-lock-out-tenant-judge/>