

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M90401  
E/sl

ROBERT A. SPOLZINO, J.P.  
ANITA R. FLORIO  
HOWARD MILLER  
RANDALL T. ENG, JJ.

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2008-10635

DECISION & ORDER ON MOTION

In the Matter of Barmat Realty Company, LLC,  
petitioner-respondent, v New York State Division  
of Housing and Community Renewal, respondent,  
Yvette Quow, appellant.

(Index No. 1490/08)

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Motion by the petitioner-respondent on an appeal from a judgment of the Supreme Court, Kings County, dated September 26, 2008, in effect, to vacate a stay of all proceedings in a matter entitled *Matter of Barmat Realty Company, LLC v Quow*, commenced in the Civil Court of the City of New York, Kings County, under Index No. 54971/09, pending hearing and determination of the appeal, which was granted by decision and order on motion of this court dated February 25, 2009.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied on condition that (1) the appellant pay the petitioner-respondent the sum of \$560.90 per month, on or before the 15<sup>th</sup> day of each month, commencing August 15, 2009, representing her share of the monthly rent at the preferential rate amount, and (2) on or before September 21, 2009, the appellant pay to the petitioner-respondent the sum of \$3,365.40, representing arrears for the months January 2009 through June 2009, as well as the sum of \$560.90, representing rent arrears for the month of July 2009, in the event that the appellant has not yet made that payment for that month.

SPOLZINO, J.P., FLORIO, MILLER and ENG, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 4, 2009

MATTER OF BARMAT REALTY COMPANY, LLC v NEW YORK STATE DIVISION OF  
HOUSING AND COMMUNITY RENEWAL