

# Landlord v. Tenant

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## HIGHLIGHTS / SEPTEMBER 2004

### SUBLETTING

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#### **Notice to Cure Wasn't Ambiguous**

Acquisition America VII, LLC v. Alexis: Index No.  
58270/04 (7/26/04) (Civ. Ct. NY; Fiorella, J) [6-pg. doc.]

***(Decision submitted by Manhattan attorney  
Adam Leitman Bailey, who represented the  
landlord.)***

Landlord sued to evict rent-stabilized tenant for illegal subletting, after sending tenant a ten-day notice to cure. Tenant asked the court to dismiss the case. He claimed that landlord's cure notice was ambiguous. The court ruled against tenant. The notice claimed that tenant was violating a specific lease provision, Real Property Law Section 226-b, and Rent Stabilization Code Section 2526.6, by subletting without landlord's written consent to a named subtenant, as well as "John Doe" and "Jane Doe." Tenant pointed out that the notice incorrectly identified the governing Rent Stabilization Code section. It should have cited Section 2525.6. The court found that this was a minor typographical error. Tenant received reasonable and sufficient notice of landlord's illegal sublet claim.