

Whatever Happened To Article 78? –The Data
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These data were developed by examining the Housing Court Reporter’s collection of landlord-tenant related Article 78 proceedings. The Housing Court Reporter is the only collection of all landlord-tenant cases for the relevant period and contains *all* decisions relevant to the questions presented in this paper.² Since all written opinions of the Appellate Divisions First and Second Department and of the Court of Appeals are reported and all such reports are in the Housing Court Reporter, the 100% sampling of written opinions represents a statistically valid sampling of the actual work of these courts in deciding cases of this nature.

While the main article describes these data as reflecting ten, five, and three years of work, in fact, they are 9.5, 4.5, and 2.5 years respectively, because the Housing Court Reporter is currently issued in half volumes, each covering a half year. The time of the writing of this article dictated that the first half of 2008 be the study period.

Note, from the point of view of the science of statistics, the lower the raw numbers one deals with, the less meaningful the trend observed. However, from the point of view of trend watching, things in the more distant past are less meaningful than things in the very recent past. So, there is a tension between having large enough numbers for statistically meaningful results, thus requiring a study over a longer period and having the most recent data which shows as a practical matter what the trends are. This study addresses both those concerns by working its analysis with regard to long term, intermediate, and short term results all reported.

For all of the following charts, “#” means the raw count of cases; “Affd” means the court has affirmed the decision of the agency; “Revd” means the court has reversed the work of the agency; “Mod” means the court has modified the work of the agency; “Rem” means the court has vacated the decision of the agency and remanded the matter back to the agency for further consideration. It should be noted that in many cases, such remands are at the agency’s request upon the agency’s discovery of its own error, such as an error in arithmetic. “CoA” means “Court of Appeals.” “1st” means “Appellate Division, First Department.” “2nd” means “Appellate Division, Second Department.”

¹ In the writing of the accompanying article, Ms. Morrison analyzed the over three hundred cases to develop raw counts of how many cases fell into each category. Mr. Treiman performed the statistical analysis. Messrs. Treiman and Bailey performed the legal analysis, working with both what the case law had to say about judicial review and what the numbers Ms. Morrison developed implied about how that process actually works.

² Mr. Treiman is the editor of the Housing Court Reporter.

Numbers of cases for all courts, January 1, 1999 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	334	281	14	7	32
CoA	13	7	1	1	4
1 st	230	197	8	4	21
2 nd	91	77	5	2	7

Percentages of cases for all courts, January 1, 1999 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	334	84%	4%	2%	10%
CoA	13	54%	8%	8%	30%
1 st	230	86%	3%	2%	9%
2 nd	91	85%	5%	2%	8%

Numbers of cases for all courts, January 1, 2004 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	137	113	6	3	15
CoA	6	3	0	1	2
1 st	87	78	2	0	7
2 nd	44	32	4	2	6

Percentages of cases for all courts, January 1, 2004 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	137	82%	16%	2%	4%
CoA	6	50%	0%	17%	33%
1 st	87	90%	2%	0%	8%
2 nd	44	73%	9%	5%	14%

Numbers of cases for all courts, January 1, 2006 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	68	57	2	0	8
CoA	2	1	0	0	1
1 st	41	36	1	0	4
2 nd	24	20	1	0	3

Percentages of cases for all courts, January 1, 2006 – June 30, 2008:

Courts	#	Affd	Revd	Mod	Rem
All	68	84%	3%	0%	12%
CoA	2	50%	0%	0%	50%
1 st	41	88%	2%	0%	10%
2 nd	24	83%	4%	0%	13%

Numbers of cases for all courts, January 1, 1999 – June 30, 2008, analyzed side by side in three, five, and ten year study periods:

Courts	3yrs	5 yrs	10 yrs
All	68	137	334
CoA	2	6	13
1 st	41	87	230
2 nd	24	44	91

Percentages of cases for all courts, January 1, 1999 – June 30, 2008, analyzed side by side in ten, five, and three year study periods:

Courts	Affd 10	Affd 5	Affd 3	Revd 10	Revd 5	Revd 3	Mod 10	Mod 5	Mod 3	Rem 10	Rem 5	Rem 3
All	84%	82%	84%	4%	16%	3%	2%	2%	0%	10%	4%	12%
CoA	54%	50%	50%	8%	0%	0%	8%	17%	0%	30%	33%	50%
1 st	86%	90%	88%	3%	2%	2%	2%	0%	0%	9%	8%	10%
2 nd	85%	73%	83%	5%	9%	4%	2%	5%	0%	8%	14%	13%

The Raw Data

Name of Case	Agency	HCR citation	Official citation	Deciding Court: AD1, AD2, COA	Affirmed ReVersed Modified Remanded
Pledge v. DHCR	DHCR	27 HCR 18A	257 AD2d 391	AD1	V
Nestor v. DHCR	DHCR	27 HCR 19A	257 AD2d 395	AD1	M
Dinnerstein v. DHCR	DHCR	27 HCR 27A	257 AD2d 444	AD2	A
Argo Corp. v. DHCR	DHCR	27 HCR 28A	257 AD2d 455	AD1	A
Lipschitz v. NYCHA	NYCHA	27 HCR 38A	257 AD2d 622	AD2	A
Powell v. Franco	NYCHA	27 HCR 44A	257 AD2d 509	AD1	R

1504 Assocs. L.P. v. Roldan	DHCR	27 HCR 79A	258 AD2d 302	AD1	A
Mark Greenberg Real Estate v. DHCR	DHCR	27 HCR 80A	258 AD2d 313	AD1	A
Evans v. Franco	NYCHA	27 HCR 80B	93 NY2d 823	COA	A
DeVito v. Lynch	DHCR	27 HCR 100A	258 AD2d 582	AD2	A
Sohn v. DHCR	DHCR	27 HCR 102A	258 AD2d 384	AD1	A
Sudarsky v. DHCR	DHCR	27 HCR 104A	258 AD2d 405	AD1	M
Bel Air Leasing L.P. v. DHCR	DHCR	27 HCR 142B	259 AD2d 542	AD2	A
Christy v. Lynch	DHCR	27 HCR 144A	259 AD2d 324	AD1	V
Sterling 350 Enterprises v. DHCR	DHCR	27 HCR 158B	259 AD2d 621	AD2	A
Londin v. DHCR	DHCR	27 HCR 177B	259 AD2d 398	AD1	A
Doyno v. DHCR	DHCR	27 HCR 178A	259 AD2d 399	AD1	R
Nelson Mgt. Group, Ltd. V. DHCR	DHCR	27 HCR 180A	259 AD2d 411	AD1	A
Central Queens Properties Corp. v. DHCR	DHCR	27 HCR 180B	259 AD2d 699	AD2	A
Sumpter v. NYCHA	NYCHA	27 HCR 219A	260 AD2d 176	AD1	A
Elkin v. Roldan	DHCR	27 HCR 230A	260 AD2d 197	AD1	R
Various Tenants of Garage At 68-38 Yellowstone Blvd., Queens, NY v. Roldan	DHCR	27 HCR 237A	260 AD2d 487	AD2	A
Raitport v. NYC Dept. of DSS	NY Dept. of DSS	27 HCR 238A	260 AD2d 223	AD1	A
Rosillo v. NYC Loft Board	NYC Loft Board	27 HCR 239A	260 AD2d 487	AD1	A
Richburg v. Franco	NYCHA	27 HCR 250C	260 AD2d 278	AD1	A
140 W. 57th St. Corp. v. DHCR	DHCR	27 HCR 261A	260 AD2d 316	AD1	A
Maya Realty Assocs. V. Holland	DHCR	27 HCR 274A	261 AD2d 405	AD2	A
Seymour v. DHCR	DHCR	27 HCR 281B	261 AD2d 176	AD1	A
Wilson v. Franco	NYCHA	27 HCR 288A	261 AD2d 197	AD1	A
Shapiro v. DHCR	DHCR	27 HCR 319A	262 AD2d 18	AD1	R
Elisofon v. DHCR	DHCR	27 HCR 332A	262 AD2d 40	AD1	A
Williams v. Franco	NYCHA	27 HCR 333A	262 AD2d 45	AD1	M
Dattoma v. DHCR	DHCR	27 HCR 333B	262 AD2d 54	AD1	A
Hye v. Franco	NYCHA	27 HCR 340A	262 AD2d 87	AD1	A
Amann v. NYC Loft Board	NYC Loft Board	27 HCR 363B	262 AD2d 234	AD1	A

Boulevard Tenants Corp. DHCR	DHCR	27 HCR 476A	264 AD2d 444	AD2	A
Lukin v. DHCR	DHCR	27 HCR 467B	264 AD2d 341	AD1	M
Yarbough v. Franco	NYCHA	27 HCR 534A	264 AD2d 740	AD2	A
Jenkins v. DHCR	DHCR	27 HCR 555A	264 AD2d 681	AD1	A
Joseph Peppie Realty Corp. v. DHCR	DHCR	27 HCR 572A	265 AD2d 173	AD1	A
Artnor Realty Co. v. DHCR	DHCR	27 HCR 572B	265 AD2d 183	AD1	A
Flagg Court Realty Co. v. Holland	DHCR	27 HCR 582A	265 AD2d 327	AD2	A
Merit Mgt. Co. v. DHCR	DHCR	27 HCR 629A	266 AD2d 4	AD1	A
Ki Wai Leung v. DHCR	DHCR	27 HCR 692A	266 AD2d 545	AD2	A
Alvarado v. DHCR	DHCR	27 HCR 697A	267 AD2d 49	AD2	A
Cardona v. Franco	NYCHA	27 HCR 697B	267 AD2d 53	AD1	V
Dworman v. DHCR	DHCR	27 HCR 721C	94 NY2d 359	COA	A in part; M in part (mult cases)
Elkin v. DHCR	DHCR	27 HCR 726A	94 NY2d 853	COA	R
Clear Holding Co. v. DHCR	DHCR	28 HCR 33A	268 AD2d 430	AD2	A
Acunto v. DHCR	DHCR	28 HCR 78A	269 AD2d 169	AD1	A
Duell LLC v. DHCR	DHCR	28 HCR 96B	269 AD2d 235	AD1	A
Argento v. DHCR	DHCR	28 HCR 97A	269 AD2d 443	AD2	A
Sterling Apts. v. DHCR	DHCR	28 HCR 99A	269 AD2d 266	AD1	A
101 W. 70th St. Assocs. v. DHCR	DHCR	28 HCR 122B	269 AD2d 316	AD1	A
Goldman v. DHCR	DHCR	28 HCR 180A	270 AD2d 169	AD1	R
Clermont York Assocs. v. Lynch	DRA	28 HCR 219A	271 AD2d 262	AD1	A
Dayton Seaside Assocs. No. 2 v. DHCR	DHCR	28 HCR 229A	271 AD2d 529	AD2	A
Clarendon Mgt. Corp. v. DHCR	DHCR	28 HCR 286A	271 AD2d 688	AD2	A
Clarendon Mgt. Corp. v. DHCR	DHCR	28 HCR 286A	271 AD2d 688	AD2	A
Bracero v. Franco	DHCR	28 HCR 300A	272 AD2d 54	AD1	A
Santo v. DHCR	DHCR	28 HCR 304A	272 AD2d 334	AD2	A
Hemphill v. NYCHA	NYCHA	28 HCR 367A	272 AD2d 267	AD1	A
Hakim v. DHCR	DHCR	28 HCR 368A	273 AD2d 3	AD1	R
London Terrace Assocs., LP v. DHCR	DHCR	28 HCR 369A	273 AD2d 13	AD1	A
Benaresh v. HPD	HPD	28 HCR 407A	273 AD2d 86	AD1	A
Jemrock Realty Co. v.	DHCR	28 HCR 417A	273 AD2d 124	AD1	A

DHCR					
Brinckerhoff v. DHCR	DHCR	28 HCR 586A	275 AD2d 622	AD1	A
Walker v. Franco	NYCHA	28 HCR 600A	275 AD2d 627	AD1	A
Yarbough v. Franco	NYCHA	28 HCR 647A	95 NY2d 342	COA	V
Steffey v. DHCR	DHCR	28 HCR 650A	276 AD2d 407	AD1	A
Har Holding Co. v. Feinberg	DHCR	28 HCR 651A	276 AD2d 423	AD1	A
Duane St. Assocs. V. Roberts	DHCR	28 HCR 652A	276 AD2d 427	AD1	A
Independence Plaza North Tenants Assn. Inc. v. Roberts	DHCR	28 HCR 652B	276 AD2d 427	AD1	A
Powell v. Franco	NYCHA	28 HCR 653A	276 AD2d 430	AD1	A
Shuet Ying Gee v. DHCR	DHCR	28 HCR 665B	276 AD2d 444	AD1	A
Fred and Ivan Leist Special R, LLC v. DHCR	DHCR	28 HCR 672B	277 AD2d 14	AD1	A
Sherry House Assocs. V. DHCR	DHCR	28 HCR 687A	277 AD2d 54	AD1	V
Spohnheimer v. DHCR	DHCR	28 HCR 688A	277 AD2d 58	AD1	A
221 W. 16th Realty LLC v. DHCR	DHCR	28 HCR 689B	277 AD2d 81	AD1	A
Rasic v. Roberts	HPD	28 HCR 720B	277 AD2d 54	AD1	A
Horowitz v. DHCR	DHCR	28 HCR 722B	277 AD2d 382	AD2	A
Olszewski v. DHCR	DHCR	28 HCR 723A	277 AD2d 386	AD2	R
Vega v. Franco	NYCHA	28 HCR 736A	277 AD2d 131	AD1	R
Glover v. Finkel	NYCHA	28 HCR 756A	278 AD2d 14	AD1	A
Schutt v. DHCR	DHCR	28 HCR 770A	278 AD2d 58	AD1	A
Washington v. NYCHA	NYCHA	28 HCR 780A	278 AD2d 331	AD2	A
Beacon Hill Apts. v. DHCR	DHCR	28 HCR 780B	278 AD2d 319	AD2	A
Mengoni v. DHCR	DHCR	29 HCR 51A	279 AD2d 375	AD1	A
Rebecca v. City of NY	DFTA	29 HCR 69A	280 AD2d 283	AD1	A
Romero v. Martinez	NYCHA	29 HCR 73B	280 AD2d 58	AD1	A
Atkinson v. DHCR	DHCR	29 HCR 76B	280 AD2d 326	AD1	A
Brusco W. 78th St. Assocs. v. DHCR	DHCR	29 HCR 95C	281 AD2d 165	AD1	A
Fifty 7 th St Operating LLC v. NYCDHPD	HPD	29 HCR 110A	281 AD2d 213	AD1	A
Fuller v. NYCHA	NYCHA	29 HCR 122A	281 AD2d 231	AD1	A
Hawco v. DHCR	DHCR	29 HCR 131A	281 AD2d 294	AD1	A
Montanez v. Franco	NYCHA	29 HCR 178A	282 AD2d 282	AD1	A
Campbell v. NYCHA	NYCHA	29 HCR 210B	282 AD2d 397	AD1	A
14 L. Pierre Assocs., v. DHCR	DHCR	29 HCR 218A	283 AD2d 192	AD1	A

Firstmark Development Co., Inc. v. DHCR	DHCR	29 HCR 243A	283 AD2d 274	AD1	R
Hampares v. DHCR	DHCR	29 HCR 253A	283 AD2d 311	AD1	A
Faison v. NYCHA	NYCHA	29 HCR 269A	283 AD2d 353	AD1	A
Fair v. Finkel	NYCHA	29 HCR 288A	284 AD2d 126	AD1	R
601 West Realty, LLC v. DHCR	DHCR	29 HCR 289A	284 AD2d 135	AD1	A
I.G. Second Generation Partners, L.P. v. DHCR	DHCR	29 HCR 291A	284 AD2d 149	AD1	A
Boulevard Tenants Corp. v. DHCR	DHCR	29 HCR 292A	284 AD2d 329	AD2	A
Bleeker St. Mgmt. Co. v. DHCR	DHCR	29 HCR 300A	284 AD2d 174	AD1	A
Fernandez v. NYCHA Law Dept.	NYCHA	29 HCR 322A	284 AD2d 202	AD1	A
O'Quinn v. HPD	HPD	29 HCR 322B	284 AD2d 211	AD1	A
823 Park Ave. v. DHCR	DHCR	29 HCR 339A	284 AD2d 269	AD1	A
McGann-Wayne v. Lipa	DHCR	29 HCR 340A	284 AD2d 279	AD1	A
Wooten v. Finkle	NYCHA	29 HCR 378A	285 AD2d 407	AD1	A
Apar Realty Co. v. DHCR	DHCR	29 HCR 433A	286 AD2d 274	AD1	A
Vink v. DHCR	DHCR	29 HCR 439A	285 AD2d 203	AD1	A
1781 Riverside, LLC v. DHCR	DHCR	29 HCR 475A	287 AD2d 255	AD1	A
Regal Homes, Inc. v. DHCR	DHCR	29 HCR 488A	287 AD2d 508	AD2	A
Mengoni v. DHCR	DHCR	29 HCR 498B	97 NY2d 630	COA	A
Mott v. DHCR	DHCR	29 HCR 522A	287 AD2d 720	AD2	A
Welch v. DHCR	DHCR	29 HCR 523A	287 AD2d 725	AD2	A
201 E. 81st St. Assocs. v. DHCR	DHCR	29 HCR 539B	288 AD2d 89	AD1	A
Joseph v. Roldan, et al	DHCR	29 HCR 580A	289 AD2d 243	AD2	A
Livingston Assocs. v. DHCR	DHCR	29 HCR 580B	289 AD2d 245	AD2	A
City of NY v. DHCR	DHCR	29 HCR 608A	97 NY2d 216	COA	A
Dunbar Partners v. DHCR	DHCR	29 HCR 614B	289 AD2d 152	AD1	A
Gilman v. DHCR	DHCR	30 HCR 60A	290 AD2d 280	AD1	A
McCarthy v. DHCR	DHCR	30 HCR 64A	290 AD2d 313	AD1	A
Cadman Plaza North, Inc. v. HPD	HPD	30 HCR 75B	290 AD2d 344	AD1	A
780 P.P. Assocs. V. DHCR	DHCR	30 HCR 87A	290 AD2d 397	AD1	A
O'Reilly v. DHCR	DHCR	30 HCR 102B	291 AD2d 252	AD1	A
Lohmann v. NYCHA	NYCHA	30 HCR 107A	291 AD2d 288	AD1	A
Bonfiglio v. DHCR	DHCR	30 HCR 114A	291 AD2d 494	AD2	A

Dibbs v. Mulholland	DHCR	30 HCR 145A	292 AD2d 164	AD1	A
Marmelstein v. DHCR	DHCR	30 HCR 153A	292 AD2d 207	AD1	A
Anderson v. Lynch	DHCR	30 HCR 187A	292 A.D.2d 603	AD2	A
Khan v. DHCR	DHCR	30 HCR 187B	292 AD2d 609	AD2	A
L.G.B. Assocs. v. DHCR	DHCR	30 HCR 188A	292 AD2d 609	AD2	A
Speck v. DHCR	DHCR	30 HCR 208A	293 AD2d 343	AD1	A
Weinreb v. DHCR	DHCR	30 HCR 223A	293 AD2d 397	AD1	A
Griffuni Bros., et al v. DHCR	DHCR	30 HCR 223B	293 AD2d 402	AD1	A
Sutton House Associated v. DHCR	DHCR	30 HCR 260A	294 AD2d 125	AD1	A
Schnall v. Lynch	DHCR	30 HCR 277A	294 AD2d 180	AD1	A
Wright v. NYCHA	NYCHA	30 HCR 278A	294 AD2d 181	AD1	A
Vendome v. Lynch	DHCR	30 HCR 279A	294 A.D.2d 198	AD1	R
Essex House v. DHCR	DHCR	30 HCR 280A	294 AD2d 437	AD2	A
Howard v. HPD	HPD	30 HCR 309B	294 AD2d 278	AD1	A
IG Second Generation Partners LP v. DHCR	DHCR	30 HCR 315A	294 AD2d 300	AD1	A
7 West 87th St., LLC v. DHCR	DHCR	30 HCR 327A	295 AD2d 103	AD1	A
12 E. 86th St., LLC v. DHCR	DHCR	30 HCR 329B	295 AD2d 143	AD1	A
41-42 Owners Corp. v. DHCR	DHCR	30 HCR 330A	295 AD2d 348	AD2	A
Tzifil Realty Corp. v. DHCR	DHCR	30 HCR 330B	295 AD2d 353	AD2	A
Weinreb Mgmt. v. DHCR	DHCR	30 HCR 364A	295 AD2d 232	AD1	A
Dejesus v. Roberts	HPD	30 HCR 394A	296 AD2d 307	AD1	A
Weinreb v. Mgmt. v. DHCR	DHCR	30 HCR 467A	297 AD2d 221	AD1	R
85 Eastern Parkway Corp. v. DHCR	DHCR	30 HCR 530A	297 AD2d 675	AD2	A
207 Realty Assocs., LLC v. DHCR	DHCR	30 HCR 558A	297 AD2d 569	AD1	R
Price v. City of New York	NYC	30 HCR 567B	298 AD2d 113	AD1	A
Classic Realty LLC, Etc. v. DHCR	DHCR	30 HCR 591A	298 AD2d 201	AD1	A
Schaper v. DHCR	DHCR	30 HCR 598B	298 AD2d 260	AD1	A
Lancaster v. Martinez	NYCHA	30 HCR 615A	298 AD2d 585	AD2	A
Perkins v. DHCR	DHCR	30 HCR 616A	298 AD2d 588	AD2	A
Gilman v. DHCR	DHCR	30 HCR 670A	99 NY2d 144	COA	R
Pickman Realty Corp. v. DHCR	DHCR	30 HCR 692A	299 AD2d 552	AD1	A
Padilla v. Levy	HPD	30 HCR 704A	300 AD2d 62	AD1	A

Halo v. NYC Loft Board	NYC Loft Board	30 HCR 704B	300 AD2d 77	AD1	A
374 Eastern Parkway Conmar Owners Corp. v. DHCR	DHCR	31 HCR 2A	300 AD2d 670	AD2	A
1 BK Street Corp. v. DHCR	DHCR	31 HCR 79A	302 AD2d 263	AD1	A
Mueller v. DHCR	DHCR	31 HCR 79B	302 AD2d 275	AD1	A
Cape Mgt. Corp. v. DHCR	DHCR	31 HCR 111A	303 AD2d 174	AD1	A
H.M. Village Realty v. DHCR	DHCR	31 HCR 164A	304 AD2d 346	AD1	A
Yen Bach Vu v. DHCR	DHCR	31 HCR 175A	304 AD2d 580	AD2	A
Concerned Cooper Gramercy Tenants' Assoc. v. NYC Educational Construction Fund	NYCECF	31 HCR 188B	304 AD2d 412	AD1	A
Padilla v. Martinez	NYCHA	31 HCR 201A	300 AD2d 96	AD1	R
Ming Hei Chan v. Martinez	NYCHA	31 HCR 204A	299 AD2d 200	AD1	A
Weinreb Mgt. v. DHCR	DHCR	31 HCR 236A	305 AD2d 207	AD1	A
Garson Mgt. Co. v. DHCR	DHCR	31 HCR 251A	305 AD2d 261	AD1	V
Lighthouse Properties v. DHCR	DHCR	31 HCR 255A	305 AD2d 283	AD1	A
20 W. 76th St., LLC v. DHCR	DHCR	31 HCR 277A	306 AD2d 6	AD1	A
Gioia v. Lynch	DHCR	31 HCR 291A	306 AD2d 280	AD2	A
Phillips v. Albanese	Town of Islip HA	31 HCR 294B	302 AD2d 467	AD2	A
737 Apartment Assoc., Inc. v. DHCR	DHCR	31 HCR 303B	306 AD2d 350	AD2	A
Nelson v. Roberts	HPD	31 HCR 329A	304 AD2d 20	AD1	A
State Lafayette Co. v. DHCR	DHCR	31 HCR 332B	306 AD2d 414	AD2	A
Kramer v. DHCR	DHCR	31 HCR 342A	306 AD2d 172	AD1	A
Sanchez v. Martinez	NYCHA	31 HCR 354C	293 AD2d 292	AD1	A
Giffuni Bros. v. DHCR	DHCR	31 HCR 357A	293 AD2d 402	AD1	A
Broadway 95th St., LLC v. DHCR	DHCR	31 HCR 358C	297 AD2d 616	AD1	A
Classic Realty, LLC v. DHCR	DHCR	31 HCR 459B	309 AD2d 205	AD1	A
Adler v. Kent Village Housing Co., Inc.	Condo Board	31 HCR 524B	306 AD2d 362	AD2	A
Kamlet v. NYCHA	NYCHA	31 HCR 526A	308 AD2d 363	AD1	A
Devlin v. DHCR	DHCR	31 HCR 529A	309 AD2d 191	AD1	V

Sherwood 34 Assoc. v. DHCR	DHCR	31 HCR 564A	309 AD2d 529	AD1	R
Patrick v. Hernandez	NYCHA	31 HCR 571A	309 AD2d 566	AD1	A
Highlawn Assoc., LLC v. DHCR	DHCR	31 HCR 572A	309 AD2d 750	AD2	V
235 Hotel, LLC v. HPD	HPD	31 HCR 579A	309 AD2d 587	AD1	A
Mauro v. DHCR	DHCR	31 HCR 597A	309 AD2d 678	AD1	A
Robinson v. Martinez	NYCHA	31 HCR 650B	308 AD2d 355	AD1	A
Fitzgerald v. HPD	HPD	31 HCR 665C	1 AD3d 285	AD1	A
Haberman v. Singer	CAB	32 HCR 77B	3 AD3d 188	AD1	A
Condo Units LP v. DHCR	DHCR	32 HCR 84C	4 AD3d 424	AD2	A
427 W. 51st St. Owners Corp. v. DHCR	DHCR	32 HCR 89A	4 AD3d 185	AD1	A
Kaufman v. Tudor Realty Services Corp.	Condo Board	32 HCR 91B	4 AD3d 212	AD1	A
Grimm v. DHCR	DHCR	32 HCR 138A	4 AD3d 295	AD1	A
KSLM Columbus Apts., Inc. v. DHCR	DHCR	32 HCR 143A	6 AD3d 28	AD1	R
Conley v. NYC Loft Board	NYC Loft Board	32 HCR 172B	5 AD3d 175	AD1	R
Byrne v. Board of Standards & Appeals of the City of NY	DOB	32 HCR 200A	5 AD3d 261	AD1	A
Bianchi v. DHCR	DHCR	32 HCR 207A	5 AD3d 303	AD1	A
Classic Realty, LLC v. DHCR	DHCR	32 HCR 208A	2 NY3d 142	COA	R
Goldman v. DHCR	DHCR	32 HCR 231A	6 AD3d 197	AD1	A
Dibbs v. Mulholland	DHCR	32 HCR 238A	6 AD3d 232	AD1	A
Mohassel v. Fenwick	DHCR	32 HCR 238B	6 AD3d 234	AD1	A
Cabrini Realty, LLC v. DHCR	DHCR	32 HCR 257A	6 AD3d 280	AD1	R
Soderberg v. DHCR	DHCR	32 HCR 279A	6 AD3d 360	AD1	A
301 W. 111th Owners, LLC v. DHCR	DHCR	32 HCR 286A	7 AD3d 282	AD1	A
442 W. 45th St., Inc. v. DHCR	DHCR	32 HCR 305A	7 AD3d 318	AD1	A
985 Fifth Ave. LLC v. Reiss	DHCR	32 HCR 350A	8 AD3d 11	AD1	A
AVJ Realty Corp. v. DHCR	DHCR	32 HCR 350B	8 AD3d 14	AD1	A
721 Ninth Ave., LLC v. DHCR	DHCR	32 HCR 369A	8 AD3d 41	AD1	V
15 West Realty LLC v. DHCR	DHCR	32 HCR 382A	5 AD3d 296	AD1	A
Manhattan Plaza Assocs., LP v. HPD	HPD	32 HCR 389B	8 AD3d 111	AD1	A

One Overlook Ave. Corp. v. State Division of Human Rights	Division of Human Rights	32 HCR 543A	8 AD3d 286	AD2	V
Muller v. DHCR	DHCR	32 HCR 565B	263 AD2d 296	AD1	A
Frangos v. DHCR	DHCR	32 HCR 601A	10 AD3d 562	AD1	A
370 Manhattan Ave. Co., LLC v. DHCR	DHCR	32 HCR 638A	11 AD3d 370	AD1	A
780 P.P. Assocs. v. DHCR	DHCR	32 HCR 654B	11 AD3d 392	AD1	A
Ecco Land Corp. v. DHCR	DHCR	32 HCR 672A	11 AD3d 683	AD2	A
Lillian Goldman Family, LLC v. DHCR	DHCR	32 HCR 688B	12 AD3d 161	AD1	A
427 W. 51st St. Owners Corp. v. DHCR	DHCR	32 HCR 715A	3 NY3d 337	COA	A
103 E. 86th St. Realty Corp. v. DHCR	DHCR	32 HCR 739A	12 AD3d 289	AD1	A
Heilweil v. DHCR	DHCR	32 HCR 741A	12 AD3d 300	AD1	A
Szaro v. DHCR	DHCR	32 HCR 780A	13 AD3d 93	AD1	A
Robinson v. HPD [Roberts]	HPD	33 HCR 32A	14 AD3d 394	AD1	A
Steel v. City of NY Dept. for the Aging	City of NY Dept. for the Aging	33 HCR 43A	14 AD3d 423	AD1	A
Schoberle v. DHCR	DHCR	33 HCR 66A	14 AD3d 438	AD1	A
Schachter v. DHCR	DHCR	33 HCR 67A	14 AD3d 615	AD2	A
DSMG Corp. v. DHCR	DHCR	33 HCR 68A	14 AD3d 613	AD2	R
Ahmed v. DHCR	DHCR	33 HCR 87B	15 AD3d 216	AD1	A
Riverton Assocs. v. DHCR	DHCR	33 HCR 88B	15 AD3d 225	AD1	A
Samuel v. NYS Office of Temporary & Disability Assistance	NYS Office of Temporary & Disability Assistance	33 HCR 90A	15 AD3d 408	AD2	A
Rizzo v. DHCR	DHCR	33 HCR 91A	16 AD3d 72	AD1	A
2084-2086 BPE Assocs. v. DHCR	DHCR	33 HCR 114A	15 AD3d 288	AD1	A
33 Prospect St. Corp. v. DHCR	DHCR	33 HCR 117A	15 AD3d 492	AD2	A
Llorente v. DHCR	DHCR	33 HCR 144A	16 AD3d 105	AD1	A
Satterwhite v. NYCHA	NYCHA	33 HCR 159A	16 AD3d 131	AD1	A

[Hernandez]					
Friend v. Mulligan	Westches t. Co. DPHCD D	33 HCR 245B	16 AD3d 685	AD2	A
LeHavre Tenants Assn., Inc. v. DHCR	DHCR	33 HCR 256A	17 AD3d 368	AD2	A
Klein v. DHCR	DHCR	33 HCR 272A	17 AD3d 186	AD1	A
10 East Realty, LLC v. Incorporated Village of Valley Stream	Incorpor ated Village of Valley Stream	33 HCR 306A	17 AD3d 474	AD2	M
Riggins v. Westchester Co. Dept. of Planning [Lannert]	Westch est. Co. Dept. of Planning	33 HCR 375A	18 AD3d 560	AD2	V
Bennissim v. DHCR [Calogero]	DHCR	33 HCR 444A	19 AD3d 135	AD1	A
New York State Tenants & Neighbors Coalition, Inc. v. DHCR	DHCR	33 HCR 451A	18 AD3d 875	AD2	M
KSLM-Columbus Apts., Inc. v. DHCR	DHCR	33 HCR 473B	5 NY3d 303	COA	M
Rent Stabilization Assn. v. Miller	NYC	33 HCR 497A	15 AD3d 194	AD1	A
Community Preservation Corp. v. Miller	NYC	33 HCR 498A	15 AD3d 193	AD1	A
Yorkroad Assocs. v. DHCR	DHCR	33 HCR 530B	19 AD3d 217	AD1	A
Various Tenants of 123 Guernsey St. v. DHCR	DHCR	33 HCR 531A	19 AD3d 503	AD2	A
Hutcherson v. NYCHA	NYCHA	33 HCR 554A	19 AD3d 246	AD1	A
Rego Estates v. DHCR	DHCR	33 HCR 704A	20 AD3d 539	AD2	R
Brasseur v. Speranza	DHCR	33 HCR 885A	21 AD3d 297	AD2	R
Notre Dame Leasing LP v. DHCR	DHCR	33 HCR 955B	22 AD3d 667	AD2	V
Pavia v. DHCR	DHCR	33 HCR 970A	22 AD3d 393	AD1	A
Kiselgof v. DHCR	DHCR	33 HCR 1009A	22 AD3d 853	AD2	A
Vaynshteyn v. DHCR	DHCR	33 HCR 1010A	22 AD3d 860	AD2	A
Pronina v. DHCR	DHCR	33 HCR 1011A	22 AD3d 858	AD2	A
Plazinska v. DHCR	DHCR	33 HCR 1012A	22 AD3d 857	AD2	A
Livingston v. NYCHA	NYCHA	33 HCR 1013A	23 AD3d 218	AD1	A
Rizzo v. DHCR	DHCR	33 HCR 1127A	6 NY3d 104	COA	A
Weinreb Mgt. v. DHCR	DHCR	33 HCR 1149A	24 AD3d 269	AD1	A
Smalls v. NYCHA	NYCHA	34 HCR 85B	25 AD3d 478	AD1	A

425 3rd Ave. Realty Co. v. DHCR	DHCR	34 HCR 130A	26 AD3d 184	AD1	A
Herlihy v. NYC Loft Board	NYC Loft Board	34 HCR 130B	26 AD3d 184	AD1	A
Folks v. NYCHA	NYCHA	34 HCR 195B	27 AD3d 270	AD1	A
M & E Rubin, LLC v. DHCR	DHCR	34 HCR 272A	27 AD3d 650	AD2	A
Verdell v. Lincoln Amsterdam House, Inc.	HPD	34 HCR 281C	27 AD3d 388	AD1	A
Brown v. NYCHA	NYCHA	34 HCR 297C	27 AD3d 733	AD2	A
504 11th St. Corp. v. DHCR	DHCR	34 HCR 329A	28 AD3d 663	AD1	A
Jacobowitz v. HPD	HPD	34 HCR 376A	29 AD3d 583	AD2	A
Shi Yi Tang v. HPD	HPD	34 HCR 448B	29 AD3d 470	AD1	A
Harris v. NYCHA [Hernandez]	NYCHA	34 HCR 514A	30 AD3d 269	AD1	A
Goldman v. DHCR	DHCR	34 HCR 574A	31 AD3d 275	AD1	A
Rhino Assets, LLC v. NYC Dept. for the Aging	NYC Dept. for the Aging	34 HCR 628A	31 AD3d 292	AD1	R
Executive Towers at Lido, LLC v. DHCR	DHCR	34 HCR 795A	32 AD3d 937	AD2	R
Kew Gardens Assocs., LLC v. DHCR	DHCR	34 HCR 796A	32 AD3d 940	AD2	A
Pena v. Mulligan	Westchester Dept. of Planning	34 HCR 796B	32 AD3d 952	AD2	V
Clendon v. NYCHA	NYCHA	34 HCR 901A	33 AD3d 913	AD2	A
Hogan v. DHCR	DHCR	34 HCR 935A	33 AD3d 1001	AD2	A
Bradford v. NYCHA	NYCHA	34 HCR 966A	34 AD3d 463	AD2	A
Hunts Point Terminal Produce Coop Assn., Inc. v. NYC Economic Development Corp.	NYC Economic Development Corp.	34 HCR 971A	36 AD3d 234	AD1	A
Silberstein v. Greenstein	NYCHA	34 HCR 993A	32 AD2d 858	AD2	A
DeSilva v. DHCR	DHCR	34 HCR 995A	34 AD3d 673	AD2	A
I.G. Second Generation Partners LP v. DHCR	DHCR	34 HCR 1027A	34 AD3d 379	AD1	V
Fruchter v. HPD	HPD	35 HCR 37A	36 AD3d 500	AD1	R
Guzman v. 188-190 HDFC	HPD	35 HCR 128A	37 AD3d 295	AD1	A

ATM One, LLC v. DHCR	DHCR	35 HCR 141A	37 AD3d 714	AD2	A
El Nazer v. HPD	HPD	35 HCR 165A	35 AD3d 857	AD2	A
171 West 57th St. Operating, LLC v. DHCR	DHCR	35 HCR 184A	38 AD3d 245	AD1	A
Lomagno v. DHCR	DHCR	35 HCR 226A	38 AD3d 897	AD2	A
Belnord Realty Assocs., LP v. DHCR	DHCR	35 HCR 241A	39 AD3d 226	AD1	A
Slesinger v. HPD	HPD	35 HCR 264A	39 AD3d 246	AD1	A
Weinstein v. HPD	HPD	35 HCR 323A	39 AD3d 764	AD2	A
Torres v. NYCHA	NYCHA	35 HCR 389B	40 AD3d 328	AD1	A
Gilmore v. NYCHA [Hernandez]	NYCHA	35 HCR 404A	40 AD3d 410	AD1	A
Rosillo v. NYC Loft Board	NYC Loft Board	35 HCR 405A	40 AD3d 406	AD1	A
Sanders v. DHCR	DHCR	35 HCR 421A	40 AD3d 440	AD1	A
333 East 49th Assocs., LP v. DHCR	DHCR	35 HCR 437B	40 AD3d 516	AD1	A
Marlin Realty v. DHCR	DHCR	35 HCR 570A	42 AD3d 501	AD2	A
Santos v. Port Chester Housing Authority	Port Chester Housing Authority	35 HCR 731A	43 AD3d 940	AD2	R
H.O. Realty Corp. v. DHCR	DHCR	35 HCR 819A	46 AD3d 103	AD1	A
McLurkin v. NYCHA [Hernandez]	NYCHA	35 HCR 828A	44 AD3d 496	AD1	A
Kaufman v. HPD	HPD	35 HCR 857A	45 AD3d 257	AD1	A
Ellis v. DHCR	DHCR	35 HCR 893A	45 AD3d 594	AD2	A
DeLillo v. DHCR	DHCR	35 HCR 905A	45 AD3d 682	AD2	A
Partnership 92 LP v. DHCR	DHCR	35 HCR 999A	46 AD3d 425	AD1	A
Steward v. Mulligan	Westchester Dept. of Planning	36 HCR 150A	47 AD3d 822	AD2	A
Aponte v. NYCHA	NYCHA	36 HCR 232A	48 AD3d 229	AD1	A
McLeon v. NYCHA Hope Gardens	NYCHA	36 HCR 280A	48 AD3d 686	AD2	A
Lee v. HPD	HPD	36 HCR 292B	48 AD3d 376	AD1	A
Weldon v. NYCHA	NYCHA	36 HCR 294A	48 AD3d 823	AD2	A
Bell v. NYCHA	NYCHA	36 HCR 302A	49 AD3d 284	AD1	A
Schorr v. HPD	HPD	36 HCR 312A	10 NY3d 776	COA	A
Greene v. HPD	HPD	36 HCR 313A	49 AD3d 345	AD1	A
Callwood v. DHCR	DHCR	36 HCR 321A	49 AD3d 394	AD1	A

[Cabrera]					
Sicardo v. Smith	Municipal Housing Authority for the City of Yonkers	36 HCR 332A	49 AD3d 761	AD2	R
Academy St. Assocs. v. Spitzer [Attorney General of NYS]	Attorney General of NYS	36 HCR 359A	50 AD3d 271	AD1	A
Pastreich v. DHCR	DHCR	36 HCR 398A	50 AD3d 384	AD1	R
Tivoli Stock LLC v. HPD	HPD	36 HCR 500A	50 AD3d 572	AD1	A
I.G. Second Generation Partners LP v. DHCR	DHCR	36 HCR 521A	10 NY3d 474	COA	R
Bush v. Mulligan	Section 8 Rental Housing Choice Voucher Program	36 HCR 562B	51 AD3d 663	AD1	R
Gerena v. HPD [Donovan]	HPD	36 HCR 570A	51 AD3d 502	AD1	A
Rodriguez v. NYCHA [Hernandez]	NYCHA	36 HCR 589A	51 AD3d 532	AD1	A
Noman v. West 31st St. Apts. [Management]	Condo Board	36 HCR 619A	52 AD3d 209	AD1	A
Hernandez v. Lancaster [City of NY Dept. of Buildings]	NYC DOB	26 HCR 664A	52 AD3d 296	AD1	A
Stafford v. NYCHA [Hernandez]	NYCHA	36 HCR 665A	52 AD3d 304	AD1	A
Apartment House Council of Nassau County, Inc. v. Nassau County Rent Guidelines Board	Nassau County Rent Guidelines Board	36 HCR 709A	53 AD3d 702	AD2	A
Abreu v. NYCHA East River Houses	NYCHA	36 HCR 719A	52 AD3d 432	AD1	A