

Landlord v. Tenant

Apartment Law Insider Total Decision Service for Landlords, Managers, and Attorneys

HIGHLIGHTS / JULY 2003

Issue Date: July 2003, Posted On: 7/1/2003

Tenant Agreed to Move Out

Badiane v. Parkview: Index No. 75708/03 (Civ. Ct. NY 6/3/03; Bedford, J) [5-pg. doc.]

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

Tenant sued landlord, claiming illegal eviction. Landlord claimed that it paid tenant to vacate his rent-stabilized SRO unit. The court ruled against tenant and dismissed the case. Landlord and tenant had signed an agreement stating that tenant would move out. In exchange, landlord would pay tenant \$15,000 and forgive back rent owed. Although the agreement wasn't signed in court, it was binding. Landlord paid tenant the money, and tenant surrendered the keys to the apartment and moved out.