

CIVIL COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART G

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109E9 LLC,

Index No. LT-306106-25/NY

Petitioner-Landlord,

-against-

SHIRAS PATTERSON BECKWITH
109 East 9th Street
Apartment #2E
New York, NY 10003

**AFFIRMATION IN
OPPOSITION
TO RESPONDENT'S
MOTION
AND IN SUPPORT OF
PETITIONER'S CROSS
MOTION**

Respondent-Tenant,

"JOHN DOE" and/or "JANE DOE,"

Respondents-Undertenants.

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MINT TAN, hereby declares under the penalty of perjury and pursuant to CPLR §2106, as follows:

1. I am Director of Internal Operations for MGNV Consulting Corp. ("MGNV"), located on the ground floor of the building located at 109 East 9th Street, New York, New York 10003 (Tax Map Block: 555, Lot: 40) (the "**Building**"), and the statements in this affirmation are based upon my own personal knowledge, and, as such, I am fully familiar with the facts and circumstances set forth herein. I submit the within affidavit:

- (i) in opposition to the motion by Respondent Shiras Patterson Beckwith ("**Respondent**") (a) pursuant to CPLR §§3211(a)(2) and (7) to dismiss this proceeding; (b) pursuant to CPLR §3212 for summary judgment; or, in the alternative, (c) pursuant to CPLR §§408 and 3101, granting leave for Respondent to conduct discovery;
- (ii) in support of Petitioner's cross-motion pursuant to CPLR §§408 and 3101, granting leave for Petitioner to conduct discovery; and

(iii) for such other, further, and different relief as the Court deems just, proper, and equitable.

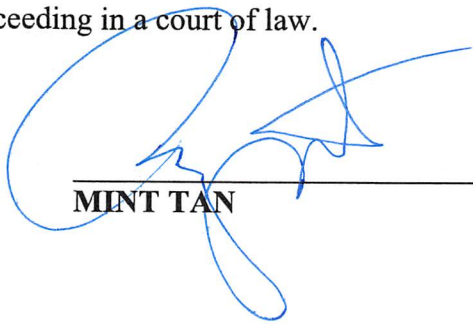
2. On or about March 28, 2022, I was hired by MGNY and often assist Mr. Geylik with certain aspects of the operation of the Building on behalf of the Petitioner and, as such, I have become familiar with and known to the occupants of the Building.

3. I sit at a desk in front of a window next to the entrance door to the Building in MGNY's offices on the ground floor of the Building, as depicted in the photograph annexed hereto as **Exhibit B**, and, as such, am able to observe the occupants of the Building's comings and goings on a daily basis throughout the work week.

4. Over the years, I confirmed to Mr. Geylik that I rarely see Respondent at the Building – perhaps once or twice a month, seemingly checking mail or dropping off rent – in stark contrast to other occupants who I observe coming and going multiple times per day.

5. Therefore, it is my belief that Respondent does not reside in the Apartment as his “primary residence” or otherwise, and that no one resides in the Apartment on any ongoing permanent basis.

I affirm this 26 day of June 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



MINT TAN