

THE CITY OF NEW YORK  
OFFICE OF ADMINISTRATIVE  
TRIALS AND HEARINGS

P R E S E N T: CHRISTINE STECURA  
Administrative Law Judge

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In the matter of:

DEPARTMENT OF HOUSING PRESRVATION AND DEVELOPMENT

Petitioner,

Index No.  
25-1984

- Against -

MICHAEL GEYLIK

Respondent.

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September 25, 2025

Office of Administrative Trials  
And Hearings  
100 Church Street  
New York, NY 10007

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## A P P E A R A N C E S:

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<u>RESPONDENT'S WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIR</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
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M. Geylik	961	1017	1154		
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E X H I B I T S

<u>ALJ</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>
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<u>PETITIONER</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>
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<u>RESPONDENT</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>
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J21	Video 8/29/25	976	980
J20	Video 8/16/24	985	986
G11	DOB Violations	996	1002

1 ALJ CHRISTINE STECURA: Good morning. This is  
2 Christine Stecura, Administrative Law Judge at OATH. The  
3 time is now 9:44 AM. We're here in the matter of Housing and  
4 Preservation Department v. Michael Geylik. The OATH Index  
5 number is 251984. Today is September 25, 2025, and this is  
6 the sixth day of trial in this matter. This matter is being  
7 conducted in person at 100 Church Street as per the order  
8 issued by the Chief Administrative law Judge. Counsel and  
9 Respondent are all present, and I'll ask Counsel to state  
10 their appearances now, please.

11 MS. RONIT JOSEPH: For HPD, City of New York, Ronit  
12 Joseph, 100 Gold Street.

13 MR. DEMETRIOS MESTOUSIS: And for the Petitioner,  
14 Your Honor, Demetrios Mestousis, 100 Gold Street.

15 ALJ STECURA: Good morning.

16 MR. MESTOUSIS: Good morning.

17 MS. JOY RAMADI: For the Petitioner, {00:01:02-1}  
18 [indiscernible].

19 ALJ STECURA: Can -- I did not understand anything  
20 you just said.

21 MS. RAMADI: Also, for the Petitioner, Joy Ramadi  
22 (phonetic), Counsel {00:01:13-1} [indiscernible] with the  
23 HPD.

24 ALJ STECURA: Thank you.

25 MS. JOSEPH: I'm just going to add that Ms. Ramadi

1 is here just basically to take notes on the --

2 ALJ STECURA: It's not necessary.

3 MS. JOSEPH: Okay.

4 ALJ STECURA: Thank you.

5 MR. VLADIMIR FAVILUKIS: Vladimir Favilukis of  
6 Kucker Marino Winiarsky & Bittens for Respondent, Your Honor.

7 ALJ STECURA: Good morning.

8 MR. JOSEPH GOLDSMITH: Joseph Goldsmith from Kucker  
9 Marino Winiarsky & Bittens as well for the Respondent. Good  
10 morning.

11 ALJ STECURA: Good morning. And I'll note on the  
12 record that Mr. Geylik is here. All right. So, at this  
13 time, does Petitioner have anything further that it wants to  
14 present?

15 MS. JOSEPH: Yes, Judge, if the Court will. I  
16 wanted to first thank the Court for allowing the Petitioner  
17 time --

18 ALJ STECURA: No, I meant are -- are you going to  
19 present any more evidence, any more witnesses at this time?

20 MS. JOSEPH: There is no witnesses, no.

21 ALJ STECURA: Okay.

22 MS. JOSEPH: The Petitioner is not going to -- at  
23 this time, we're not going to present any --

24 ALJ STECURA: So does the Petitioner rest?

25 MS. JOSEPH: Yes.

1 ALJ STECURA: All right. Petitioner has rested.

2 Ms. Joseph, would you like to make a short statement?

3 MS. JOSEPH: Yes, Judge.

4 ALJ STECURA: All right.

5 MS. JOSEPH: So, again, I'd like to thank the Court  
6 for allowing Petitioner time to review Respondent's proposed  
7 exhibits that were submitted. July 9th and July 10th there  
8 were 16 proposed exhibits. Respondent added nine more  
9 exhibits yesterday afternoon, also in the eve of trial, so in  
10 total, there are 25 exhibits added. They are voluminous and  
11 they include numerous videos and documents. And I understand  
12 that the Court would prefer that Petitioner make specific  
13 objections responsive to when exhibits are moved to or sought  
14 to be moved to admittance, but preliminary, I wish to let the  
15 Court know that this evidence was not provided in discovery  
16 and was not provided at any time due to Petitioner's case in  
17 chief. The discovery demand that was served on the  
18 Respondent asked for any -- any and all evidence that  
19 Respondent intends to present to trial to be submitted, and  
20 these were not submitted. I -- I believe or Petitioner's  
21 position is being that the -- the late time of this  
22 submittance -- submitting these proposed exhibits, majority -  
23 - majority of them, especially the ones that were submitted  
24 July 10th and 9th, are exhibits from many years ago from the  
25 years 2022 and 2023 and '24, and they were available to

1 Respondent that should have been submitted May 7th or, in the  
2 least, during Petitioner's case in chief. So we had the  
3 opportunity to review them, to inquire of our witnesses, to  
4 change sta -- strategy, to -- to be responsive to those. But  
5 of course, they were not -- so I -- I -- our position is that  
6 the be -- the late submission is -- is willful and designed  
7 to deprive the Petitioner of the ability to be adequately  
8 prepared for trial, which prejudices the Petitioner. Admi --  
9 attempting to admit these records, same records which were  
10 withheld from the Petitioner during its case in chief, is in  
11 violation of 48 RCNY Section 1-33(c), which states that  
12 discovery must be completed promptly so that each party may  
13 reasonably prepare for trial. The tribunal has discretion to  
14 impose sanctions and exclude such evidence, even in the  
15 absence of an order to compel under 48 RCNY Section 1-33 and  
16 1-13. In fact, Respondent's last submission of the amended  
17 exhibit list, just before Petitioner's case in chief  
18 concluded, renders, you know, at this point, illusionary  
19 since Petitioner was made to rely on that submission and to  
20 inquire of his witnesses and finalize its preparation for  
21 trial before it rested. Pursuant to case law precedent,  
22 exclusion was imposed where attorney produced numerous  
23 records a month after trial began and the day before  
24 continuous where attorney deliberately withheld discovery,  
25 and I'm citing to DOT v. Jones, I could provide the full

1 citation as needed. Also, matter of Gallagher, I'm citing,  
2 also, to New York Court of Appeals decision in KLV fi --  
3 Feefer. In Allen v. Crowell-Collier Publishing Co., where  
4 the New York Court of Appeals held that when a party  
5 frustrate the disclosure scheme, sanctions are well within  
6 the trial's judge discretion. And in Allen, the Court of  
7 Appeals held that evidence that is sought for use as evidence  
8 in chief or -- or in rebuttal is considered evidence material  
9 and -- and the -- in the prosecution or defense and should me  
10 -- should be submitted. I thank the Court for your time and  
11 I could pre -- again, as needed, I could provide full  
12 citations. Thank you, Judge.

13 ALJ STECURA: Yes, please do. Thank you.

14 MR. FAVILUKIS: May we respond?

15 ALJ STECURA: would you like to respond?

16 MR. FAVILUKIS: Yes. Thank you, Your Honor. The  
17 additional exhibits -- proposed exhibits that we circulated  
18 yesterday are from our videos from September 23rd, which is,  
19 I believe, Tuesday, today's Thursday. There -- it was a  
20 video from August 9th which my client needed to retrieve from  
21 their server. It was the day after he received -- returned -  
22 - I believe, the day after he returned from vacation. The  
23 videos that we -- the photographs that we proposed to submit  
24 yesterday are also from September 23rd. The decision and  
25 order in the non-primary case against one of the tenants who

1 testified that he was being harassed by my client's  
2 commencement of the non-primary case, that decision and order  
3 is from September -- one second, I apologize. September  
4 16th. The stipulation in the HP proceeding that the tenants  
5 have commenced against my client is from September 22nd. And  
6 the videos that we proposed to admit into evidence or submit  
7 into evidence as additional evidence last time, which  
8 Petitioner has now had two months -- over two months to  
9 review, were videos directly rebutting testimony by one of  
10 the tenants, Mr. Chlapek. We could not possibly have known  
11 what Mr. Chlapek was going to testify to and what we believe  
12 was untrue prior to his testimony. We could not have  
13 possibly -- that -- that -- those videos were not responsive  
14 to any discovery demands and we did not know we need to rely  
15 on them. My client had to go and retrieve them from their  
16 server to locate them to show that Mr. Chlapek actually did  
17 have a key that he claimed he didn't have during the summer  
18 months of 2024, that's why we're looking to admit those into  
19 evidence. The -- the -- the way we finished trial the last  
20 time on July 10th was a dis -- a lengthy discussion about  
21 whether or not Mr. Chlapek had a key, whether or not he was  
22 sharing a key that my client had given him for the building  
23 with other parties and what concerns my client had with keys  
24 being given to non-tenants and why. Those videos address  
25 that. And we could not have possibly known that we'd need to

1 address that before Mr. Chlapek's testimony. I am trying to  
2 look up when Mr. Chlapek's testimony was, but I believe it  
3 was the hearing date before July 10th.

4 ALJ STECURA: But I would note --

5 MR. FAVILUKIS: It was, I believe, in June

6 ALJ STECURA: -- that the petition does, in item J,  
7 plead that there's a failure to provide a lawful occupant --  
8 occupant a replacement key.

9 MR. FAVILUKIS: Correct.

10 ALJ STECURA: So that was one of the allegations.

11 MR. FAVILUKIS: No, absolutely. Your Honor, so we  
12 addressed providing him the key. There was a photo of the  
13 key that was broken. We had a video showing him breaking the  
14 door in. We had communication, text messages between my  
15 client and Mr. Chlapek about the key. We did not know that  
16 Mr. Chlapek -- we -- the -- the videos that I'm submitting  
17 are from the summer of 2024, which had to be retrieved  
18 because we didn't know when he was going to claim he -- he  
19 didn't have a key before his testimony. And the fact that we  
20 -- we -- we can't -- we can't foresee what their witnesses  
21 are going to testify before they testify, Your Honor.

22 ALJ STECURA: Do you have anything further you wish  
23 to say?

24 MR. FAVILUKIS: No.

25 ALJ STECURA: All right. So I'm going to take each

1 item -- I want to give Respondent the opportunity to present  
2 his case and we will take it step by step. I was dismayed  
3 that there was more exhibits added given the voluminous  
4 nature already of the case, so I will be looking closely to  
5 relevance on each of these.

6 MR. GOLDSMITH: Thank you.

7 MR. FAVILUKIS: Thank you, Your Honor.

8 ALJ STECURA: Are we ready to recall Mr. Geylik  
9 back to the stand?

10 MR. FAVILUKIS: Yes, Your Honor.

11 ALJ STECURA: Mr. Geylik, you can go back. I'm  
12 going to -- please have a seat. Since it's been so long, I  
13 will ask you again to raise your right hand, sir. Do you  
14 swear that the testimony you are about to give will be the  
15 truth?

16 MR. MICHAEL GEYLIK: Yes, I do.

17 [WHEREUPON THE WITNESS, M I C H A E L G E Y L I  
18 K, WAS DULY SWORN IN]

19 ALJ STECURA: All right. You may lower your hand.  
20 I'm going to give you the same instructions I gave you  
21 before. The hearing is being recorded. Your responses must  
22 be verbal; you must be clearly. Please wait until the  
23 question has finished before you answer. If there's an  
24 objection, wait until I issue a decision before you answer.  
25 If there's a question you did not hear, ask that it be

1 repeated. If you don't understand, please let the  
2 attorney know. And if you can't see an exhibit, also please  
3 let us know. Now, I'm going to ask you, I directed you, at  
4 our last day of testimony, that you are not to speak to  
5 anybody regarding your testimony. Did you speak to anyone  
6 regarding your testimony in this case?

7 MR. GEYLIK: I have not.

8 ALJ STECURA: Thank you. All right. Mr.  
9 Favilukis, you may inquire.

10 MR. FAVILUKIS: Thank you, Your Honor.

11 **DIRECT EXAMINATION OF MR. GEYLIK**

12 **BY MR. FAVILUKIS:**

13 Q: Good morning, Michael.

14 A: Good morning.

15 Q: I want to start off by going back to the HPD violations  
16 that have been issued pretty close prior to our last appearance  
17 here. The last appearance here was on July 10th, and you  
18 testified that a number of HPD violations had been issued about a  
19 week earlier, do you remember that?

20 A: Yes, I do.

21 MR. FAVILUKIS: Okay. And so, just for the record  
22 and to -- to -- to refresh, there were 17 HPD violations  
23 issued, I believe, on July 3rd.

24 MS. JOSEPH: Objection, Judge. Counsel is  
25 testifying.

1 MR. FAVILUKIS: I'm just re -- restating the  
2 testimony.

3 ALJ STECURA: Go ahead.

4 MR. FAVILUKIS: We were here two months ago, two  
5 and a half.

6 ALJ STECURA: Overruled.

7 MR. FAVILUKIS: Thank you, Your Honor.

8 Q: So, at that time, on July 10th -- at that time, on July  
9 10th, you testified that you thought that some of those violations  
10 could be addressed pretty quickly, but that some, and I quote,  
11 "You would need clarification from the Building Department because  
12 they would require structural work for sloping floors."

13 MR. FAVILUKIS: And I can point to the -- the  
14 transcript, if necessary, Your Honor. Is that --

15 ALJ STECURA: Do you have a question?

16 MR. FAVILUKIS: Yes, yes, I do. I just didn't know  
17 if I should -- it -- it was a direct quote.

18 Q: Have any of those 17 violations been addressed yet,  
19 Michael?

20 A: So I was able to address two violations.

21 Q: Which ones were those?

22 A: The one that had to do, I think, with the smoke  
23 detector, carbon monoxide detector, and the one that had to do  
24 with the loose railing between the 2nd and 3rd floor.

25 Q: Okay. And did you file anything with HPD to get those

1 cleared?

2 A: Yes, I did.

3 Q: Okay. Do you remember when you did that?

4 A: Within the timeframe that I was given, much earlier than  
5 the deadline.

6 Q: Okay. And has HPD come out to inspect again, at any  
7 point?

8 A: Not for those violations.

9 Q: What did HPD come out to inspect for?

10 A: They came out to inspect as a part of the HP proceedings  
11 because the first inspection, apparently, somehow was not enough,  
12 so the inspector came back to look at two vacant units again?

13 MS. JOSEPH: Objection, Your Honor. The HP  
14 proceedings had nothing to do with this case. It's not  
15 relevant to this case.

16 ALJ STECURA: Noted.

17 MS. JOSEPH: The testimony was about --

18 ALJ STECURA: Noted.

19 MR. FAVILUKIS: Thank you, Your Honor.

20 ALJ STECURA: Can you please limit it to what is  
21 relevant here.

22 MR. FAVILUKIS: Yes, yes.

23 ALJ STECURA: Thank you.

24 Q: The HPD inspector that came out, did he testify in this  
25 case, Michael?

1 A: The second, yes, he did.

2 Q: He did? Do you remember what his name was?

3 A: DelPilar.

4 Q: Did you -- did you -- you recognized him from the  
5 testimony?

6 A: Yes. Yes, he told me that we met in court here,  
7 actually.

8 Q: Oh, did you speak to him about this case, Michael?

9 A: He spoke to me, actually.

10 Q: He spoke to you about this case.

11 MR. FAVILUKIS: That's the relevance, Your Honor.

12 Q: And, I'm sorry, you said which -- which apartments did  
13 he inspect?

14 A: So he inspected unit 3A and 1A.

15 Q: And are those apartments occupied?

16 A: Vacant.

17 Q: Vacant. Were more violations issued?

18 A: No.

19 Q: Is the DOB scheduled to inspect?

20 A: Yes.

21 Q: When's that?

22 A: Very soon. Within the next 10 days, I believe.

23 Q: And do you know what the reason for the DOB's  
24 inspection?

25 A: Yes. So the tenant -- part of the HP proceedings, the

1 tenants wanted that -- through the court, that the building is  
2 being inspected by their engineer and the -- the Building  
3 Department.

4 MS. JOSEPH: Objection, Your Honor. This testimony  
5 is not relevant to this case; it's about the HP proceeding.

6 MR. FAVILUKIS: It -- it -- it --

7 MS. JOSEPH: It has no relevance to this case.  
8 Different proceeding, different venue, different parties, and  
9 I object to Counsel asking, repeatedly, questions about the  
10 HP proceeding.

11 MR. FAVILUKIS: So I'm not asking questions about  
12 the HP proceeding, Your Honor. The parties are -- just to  
13 correct it -- something that Ms. Joseph said, the parties  
14 actually align. That -- the HPD is a party in that  
15 proceeding, but that's not the reason for my questions.  
16 Previously, Mr. Geylik testified that he could not correct  
17 some of the HPD violations that were issued on July 3rd  
18 because he needed clarification from the DOB. I'm asking him  
19 whether the DOB came out to give him that -- give him that  
20 clarification. The --

21 MS. JOSEPH: That wasn't the question.

22 MR. FAVILUKIS: Excuse me.

23 ALJ STECURA: Don't interrupt him.

24 MR. FAVILUKIS: The -- the allegations in the HP  
25 proceeding actually mirror some of the allegations in this

1 proceeding, specifically related to the structural issues.  
2 So I'm simply asking if DOB has had a chance to inspect the  
3 structural conditions that we've been talking about for five  
4 trial days now.

5 ALJ STECURA: Please, limit --

6 MR. FAVILUKIS: I'm -- I'm going to wrap up on this  
7 and --

8 ALJ STECURA: Thank you so much.

9 MR. FAVILUKIS: Thank you, Your Honor.

10 Q: So you --

11 ALJ STECURA: And -- and I -- I'll just say, let's  
12 think through our objections before we make them, please.

13 MR. FAVILUKIS: Thank you, Your Honor.

14 Q: So, I'm sorry, you said the a -- DOB has not come out  
15 yet?

16 A: As the part of the HP, no.

17 Q: No, no. The -- I'm simply asking whether the DOB, since  
18 we were here last, has inspected the building since July 10th?

19 A: No.

20 Q: Okay. Last time we also spoke about a non-primary  
21 residence holdover proceeding that you started against Shiras  
22 Beckwith.

23 A: Yes.

24 Q: Okay. Do you know the status of that case?

25 A: Yes. The judge determined that we should proceed with

1 the discovery because there is a clear evidence that he's not  
2 living in this -- in his unit.

3 MR. FAVILUKIS: Can -- can I -- that's one of our  
4 exhibits that's from September 10th. That's a -- September  
5 16th is the decision and order. And then, not primary, if I  
6 may enter that into evidence.

7 ALJ STECURA: You can try.

8 MR. FAVILUKIS: Sure.

9 ALJ STECURA: When I reviewed it, I did not find it  
10 to be relevant.

11 MR. FAVILUKIS: Okay. No, understood. The -- the  
12 relevance, Your Honor, if -- so we move to introduce into  
13 evidence Respondent's L12, L as in lion, and that is a  
14 September 16th. This is in an order by Judge Tracy  
15 Ferdinand. Thank you, Your Honor. And that decision was on  
16 two motions. One, Mr. Beckwith's motion to dismiss, and two,  
17 Mr. Geylik's motion for discovery, rather, 109 East -- the --  
18 the ownership's LLC motion for discovery. So, to summarize,  
19 Mr. Beckwith's motion to dismiss --

20 MS. JOSEPH: Objection, Your Honor.

21 ALJ STECURA: Yes.

22 MS. JOSEPH: Respondent is attempting to -- to  
23 admit a record into evidence, but he's now summarizing  
24 information that was --

25 MR. FAVILUKIS: For the relevance.

1 MS. JOSEPH: -- that was -- that was supposedly  
2 part of an -- of this proceeding in housing court. The  
3 record speaks for itself. Whatever the record is attempting  
4 -- I -- I do find the objection -- objectionable all this  
5 additional information that Counsel is putting on the record  
6 with regard to these -- these housing court proceeding.

7 ALJ STECURA: I don't see how the documents  
8 relevant.

9 MR. FAVILUKIS: I understand. Your Honor, if I may  
10 --

11 [CROSSTALK]

12 ALJ STECURA: There's no -- it's a -- motion for  
13 summary judgment was denied, there's no finding.

14 MR. FAVILUKIS: Correct.

15 ALJ STECURA: It's -- it's not relevant.

16 MR. FAVILUKIS: Your Honor, the -- the claim was  
17 made that we had commenced this proceeding as a form of  
18 harassment, and so the proceeding is proceeding in housing  
19 court. If it was harassment, I think that their motion  
20 would've been granted, and that's the relevance.

21 ALJ STECURA: That's your thought?

22 MR. FAVILUKIS: That's the relevance.

23 ALJ STECURA: It's not relevant.

24 MR. FAVILUKIS: Understood.

25 ALJ STECURA: It's excluded.

1 MR. FAVILUKIS: Understood.

2 MS. JOSEPH: Thank you, Judge.

3 MR. FAVILUKIS: Thank you, Your -- Your Honor.

4 ALJ STECURA: Thank you.

5 MR. FAVILUKIS: May I ask Mr. Geylik if he's  
6 received any discovery or -- or is that --

7 ALJ STECURA: Not relevant.

8 Q: So when you testified last you also mentioned that  
9 Zachary Hall had, in the past, complaint of bedbugs.

10 A: Yeah.

11 Q: Okay. Has Mr. Hall had any complaints recently?

12 A: Yes.

13 MS. JOSEPH: Objection, Your Honor. Relevance to  
14 this proceeding.

15 ALJ STECURA: Overruled.

16 MR. FAVILUKIS: Thank you, Your Honor.

17 Q: Has Mr. Hall had --

18 A: Yes.

19 Q: -- any complaints recently? What -- what were those  
20 complaints?

21 A: That he has bedbugs again.

22 Q: And have you done anything about it?

23 A: Yes.

24 Q: What did you do?

25 A: I hired an exterminating company to exterminate his

1 unit.

2 Q: Did the exterminating company or exterminator provide  
3 you any kind of summary of the apartment or what he did?

4 A: Yes. So the exterminator said that he finds it very  
5 strange that Mr. Hall would not allow to exterminate his bed and  
6 his bookshelf claiming that there are books that are worth tens of  
7 thousands of dollars, he cannot use those -- he cannot touch those  
8 shelves. And the exterminator said that he had a conversation  
9 with the people that came to exterminate before and they had  
10 encountered the same issue, which they find very strange that a  
11 person is asking for exterminating services constantly and does  
12 not allow to exterminate the unit properly.

13 MS. JOSEPH: Okay. I object to this answer. It is  
14 not relevant. It is meant to possibly embarrass or belittle  
15 or show the tenant in -- in a bad light. Has no relevance  
16 whatsoever. It's not proper rebuttal. There's no allegation  
17 with regard to Mr. Zachary Hall making any complaints with  
18 regard to bedbugs or, I believe, anything else. I don't  
19 think there is anything specific with regard to Mr. Zachary  
20 Hall in the petition, I could look it up. But definitely not  
21 this subject matter that is being going into -- in depth  
22 without conversations with, you know, other exterminators.

23 ALJ STECURA: Okay. So I'm going to ask you to  
24 move on. You've addressed the bedbugs point. It was brought  
25 up in direct, but also while hearsay is admissible at OATH,

1 it's given, you know, limited weight.

2 MR. FAVILUKIS: Understood. Understood, Your  
3 Honor. But my -- I'm going to wrap. There was a complaint  
4 made to HPD about bedbugs within the last few days.

5 ALJ STECURA: It's not on --

6 MR. FAVILUKIS: Understood.

7 ALJ STECURA: It's not in the petition.

8 MR. FAVILUKIS: Understood.

9 ALJ STECURA: Please stick to the petition.

10 MR. FAVILUKIS: Understood. Thank you, Your Honor.

11 ALJ STECURA: Thank you.

12 Q: So, with respect to the key, and this is the -- this is  
13 the -- the -- the -- the issue with Mr. Chlapek claiming that you  
14 did not give him a key.

15 MS. JOSEPH: Objection, Your Honor. Counsel is not  
16 asking a question, he's providing testimony.

17 ALJ STECURA: He is transitioning to a new subject  
18 area, and I will permit him to do so.

19 MR. FAVILUKIS: Thank you, Your Honor.

20 Q: In your previous testimony you alleged -- you stated  
21 that Mr. Chlapek had a very distinctive key chain, and I think  
22 that you described it as a wrench.

23 A: Yes.

24 Q: Do you remember that?

25 A: Yes.

1 Q: Okay. And what -- when Mr. Chlapek told you that he had  
2 lost his key, did -- did you believe him?

3 A: I didn't.

4 Q: Why not?

5 A: Because I saw him with the key all the time.

6 Q: With -- with what? With --

7 A: With the wrench.

8 Q: With the wrench, I see.

9 MR. FAVILUKIS: And so that's -- those are some of  
10 our exhibits, Your Honor, that we proposed last time. We do  
11 have some videos that we were able to locate from the summer  
12 where Mr. Chlapek claims that he doesn't have a key showing  
13 him entering the building with a key and twirling it around,  
14 and there's a -- a wrench as a -- as a key chain and I'd like  
15 to introduce those. Those are our proposed J19, J20, J21,  
16 J15, J16, J17, and J25.

17 MS. JOSEPH: I'm sorry, I --

18 ALJ STECURA: But these are all after --

19 MR. FAVILUKIS: These are within the inquiry  
20 period, Your Honor.

21 ALJ STECURA: They're within the inquiry period but  
22 wasn't there testimony that Mr. Chlapek eventually got a key?

23 MR. FAVILUKIS: Yes. This was the timeframe that  
24 he claimed he did not have a key, the summer of 2024.

25 MS. JOSEPH: May I clarify, Judge?

1 ALJ STECURA: Yes, please.

2 MS. JOSEPH: Okay, thank you. So -- and -- and  
3 Counsel made the same sort of argument to the Court before,  
4 and I wanted to clarify about that. Mr. Chlapek's testimony  
5 did not produce anything -- any statements, or any testimony  
6 about him not -- not having a key in the summer of 2024.  
7 Where it comes in is in a text, which is Exhibit 37, and  
8 there is a text, I have the -- the -- the page here where he  
9 is texting the Respondent and saying, I did not -- I asked  
10 you for a key since last summer. So it's in a text, only in  
11 a text. Now, Exhibit 37 is Respondent's exhibit. It's text  
12 the Respondent had prior to -- you know, that he submitted.  
13 So he should have known or knew that that particular text was  
14 -- or that -- that Mr. Chlapek doesn't -- asked for a key  
15 last summer, was there. He didn't have to wait till the  
16 testimony. So the -- the -- the -- the basis for admitting  
17 these records because they didn't know until he testified,  
18 that is incorrect.

19 ALJ STECURA: So you're not arguing that the time  
20 period is incorrect. You're saying the time period is  
21 relevant or it is within the time period, however, because  
22 you did not have prior access to these videos, they should be  
23 excluded?

24 MS. JOSEPH: Well, I -- I have multiple -- I have  
25 multiple arguments, Judge. I'm sorry, I --

1 ALJ STECURA: Is -- is the time period relevant?

2 July --

3 MS. JOSEPH: No. The time period is not relevant;  
4 that's in addition to that. I'm just saying with -- with  
5 Respondent's contention that they didn't know about it until  
6 he testified, that's incorrect.

7 ALJ STECURA: But you just said that you submitted

8 --

9 MS. JOSEPH: No.

10 ALJ STECURA: -- into evidence an email, in which  
11 during this same time period, June through August, 2024, that  
12 there is a text message chain about Mr. Chlapek asking for an  
13 email -- for a key.

14 MS. JOSEPH: I did not submit it, Respondent  
15 submitted. They -- Respondent's --

16 ALJ STECURA: Okay. But it's in evidence.

17 MS. JOSEPH: It's in evidence. What I'm -- what  
18 I'm --

19 ALJ STECURA: Okay. So are you saying that this  
20 time period is not relevant?

21 MS. JOSEPH: I am saying this time period is not  
22 relevant. And the reason I'm saying that is -- and therefore  
23 the evidence, these -- these videos are not relevant, is  
24 because Mr. Chlapek clarified, during this testimony, I  
25 believe it was November 18th, that he -- there's a text that

1 he's asking Respondent if he could -- because he doesn't have  
2 a key. So Petitioner's allegation, right, with -- with Mr.  
3 Chlapek doesn't have a key, has nothing to do with the summer  
4 of 2024. It is limited to November, 2024 through February,  
5 2025, in which time he received the key and that key book,  
6 and thereafter, from March, 2025 through April 7th, where he  
7 received the new key, it's all in the testimony. We went  
8 through it in the -- during the -- through the text in  
9 Exhibit 37. There is a very clear timeframe.

10 ALJ STECURA: Well, your timeframe in the petition  
11 is March 4th, 2024 through the present, and that's what I'm  
12 going to be guided by for this. However, what I will say is  
13 that these are not only produced late, but they're also  
14 cumulative, and so I will ask that you limit what you attempt  
15 to move in.

16 MR. FAVILUKIS: I understand.

17 ALJ STECURA: I don't -- to make your point, --

18 MR. FAVILUKIS: No, I understand.

19 ALJ STECURA: -- I don't think you need all of  
20 these videos.

21 MR. FAVILUKIS: I understand. So -- so can I put  
22 in two?

23 ALJ STECURA: Sure.

24 MR. FAVILUKIS: Thank you, Your Honor.

25 ALJ STECURA: Or you can try to.

1 MR. FAVILUKIS: Of course.

2 MS. JOSEPH: I'll just add one thing, Judge. It'll

3 --

4 ALJ STECURA: I've already made my ruling.

5 MS. JOSEPH: Okay.

6 ALJ STECURA: Thank you.

7 MS. JOSEPH: All right. Thank you.

8 ALJ STECURA: Thank you.

9 MR. FAVILUKIS: If -- if I can just have a second,  
10 I'll just double check. I want to make sure --

11 ALJ STECURA: Yes.

12 MR. FAVILUKIS: -- I'll put in the date -- the --  
13 the relevant dates.

14 ALJ STECURA: Yeah. I'm not looking, so if you  
15 need to put it.

16 MR. FAVILUKIS: Sure. Thank you. Oh, we're --  
17 I'll do it on my -- I have the -- this on my computer.

18 ALJ STECURA: Thank you.

19 MR. FAVILUKIS: On my screen. I would like --  
20 Respondent moves to admit into evidence proposed Exhibits J21  
21 and J25. J21 is -- and -- and I'll explain the relevance.

22 ALJ STECURA: Well, you --

23 MR. FAVILUKIS: Oh, sure.

24 ALJ STECURA: -- you need to have your witness  
25 authenticated. So you said J21 and J25?

1 MR. FAVILUKIS: Correct.

2 MS. JOSEPH: Judge.

3 MR. FAVILUKIS: Yeah. Oh, sorry. Go ahead.

4 Before I do it.

5 MS. JOSEPH: Yeah, go -- No. Go ahead. Are you  
6 going to change the J -- Judge, J25 is a video of Mr. Chlapek  
7 sitting in a car outside of the building, so I don't see the  
8 relevance to -- to this.

9 ALJ STECURA: But I don't know why you're saying  
10 anything right now. They need to authenticate it. We need  
11 to see if it's relevant. Please, just let's do this in  
12 order. I understand that you've seen the video. I haven't.

13 MS. JOSEPH: Okay.

14 MR. FAVILUKIS: Thank you, Your Honor.

15 [OFF MIC CONVERSATION]

16 Q: Okay. Michael, do you recognize this video of where it  
17 was taken?

18 A: Yes.

19 Q: Can you tell us?

20 A: It's 109 East 9th Street. The entrance downstairs is  
21 the entrance to the building. The main -- the only entrance to  
22 the residential portion of the building.

23 Q: Okay. And is that a -- what floor is that from the  
24 building?

25 A: So that's the street level where Mr. Chlapek enters, and

1 that staircase leads up to the second floor of the building.

2 Q: Okay. And I wanted to -- I -- I wanted to make it not  
3 full screen so that you can see the title. Can you tell me what  
4 date this video was recorded?

5 A: Yes, it is August 29, 2024 at 2:38 AM.

6 Q: And how do you know that?

7 A: Because that's the extract from an authenticated video  
8 system, the security camera by access.

9 MR. FAVILUKIS: Got it. We'd like to admit this  
10 into evidence as Respondent's J21.

11 ALJ STECURA: And may -- I may have missed it. Did  
12 -- who has control over the security system?

13 Q: Michael, can you tell us who has control over the  
14 security system --

15 [CROSSTALK]

16 A: So the security system is -- when you say control, may I  
17 ask, what do you mean exactly?

18 ALJ STECURA: Who's the custodian?

19 MR. GEYLIK: The server is located inside of the  
20 office.

21 Q: Who maintains these records?

22 ALJ STECURA: Thank you.

23 A: When you say maintain, what do you mean? The records  
24 are saved on the server, and they -- each video -- you

25 ALJ STECURA: Just say you don't understand what

1           you mean by maintain, and then your lawyer will clarify for  
2           you, okay?

3                       MR. GEYLIK: Okay.

4           Q: Okay. Who -- who has access to and -- who has access to  
5           and keeps these records -- who -- who -- how did you get this  
6           record? Who has access to --

7                       [CROSSTALK]

8           A: So I have access and a certified access technician that  
9           if I have any kind of questions he might answer, so two people.

10          Q: Okay.

11          A: Yeah.

12                      ALJ STECURA: Any objection?

13                      MS. JOSEPH: Judge, the Petitioner is stipulating  
14           that Mr. Chlapek -- oh, I shouldn't say that. That the --  
15           the allegation that Mr. Chlapek did not have a key, the  
16           timeframe is November 18th through February 28, '25 --  
17           November 18, '24 through February 28, '25, and, thereafter,  
18           from the month of March, 2025 through April 7th. Those are  
19           the only timeframes that respond -- are responsive, I should  
20           say, to the allegation with regard to Mr. Chlapek not having  
21           a key. So --

22                      ALJ STECURA: Where does that -- where does it say  
23           that in the petition?

24                      MS. JOSEPH: Oh, no, it's not in the petition.  
25           It's -- it's -- it's during the testimony that was elicited

1 that though -- and that's part of the testimony and that's  
2 part of Exhibit 37, where there are particular text with  
3 those dates.

4 ALJ STECURA: Okay. Thank you. Thank you.

5 MS. JOSEPH: Sure.

6 ALJ STECURA: I'm going to overrule the objection,  
7 and J21 is now in evidence.

8 **[Respondent's Exhibit J21 is admitted into**  
9 **evidence.]**

10 MR. FAVILUKIS: Thank you, Your Honor.

11 Q: So I'll play and then if you can describe, again, for  
12 the -- for the trans -- for -- for the transcript, what's  
13 happening in the video. It's a very short video; I'll start from  
14 the beginning. It's a 30 seconds' video. I -- I will play now.

15 [VIDEO PLAYED]

16 Q: Michael, go ahead and describe.

17 A: So Mr. Chlapek enters the building at 2:37 with the key  
18 and he opens the door with the key where -- when he claims he  
19 didn't have a key. This is the wrench.

20 MR. FAVILUKIS: I'm sorry. And I -- I paused the  
21 video at 13 seconds.

22 MR. GEYLIK: Yeah.

23 MR. FAVILUKIS: And I can rewind it, Your Honor, if  
24 -- if it's necessary, if you're having trouble seeing it.  
25 There's the wrench, right there. And I can rewind it. I

1 think you can see it dangling around.

2 MR. GEYLIK: I mean, he opened the door with the  
3 key and this is the wrench.

4 MR. FAVILUKIS: Okay. And so that's it. I can  
5 finish it. It's 19 seconds into a 30 seconds' video.

6 Q: And, again, Michael, I just want you to describe it so  
7 that I'm not the one describing the piece of evidence. So what  
8 did you see in this video?

9 A: So I see Mr. Chlapek entering the building, opening the  
10 door with the key at the same time, he was claiming he doesn't  
11 have a key.

12 MS. JOSEPH: I object to that testimony in that,  
13 Mr. Chlapek -- what's the basis that that testimony comes in,  
14 that Mr. Chlapek claimed.

15 ALJ STECURA: You have the opportunity to cross  
16 examine the witness.

17 MS. JOSEPH: Thank you, Judge.

18 ALJ STECURA: Thank you.

19 MR. FAVILUKIS: I can refer to Respondent's Exhibit  
20 37 just to address the objection or to address the upcoming  
21 objection or upcoming cross examination. Respondent's -- I  
22 apologize, not Respondent's, Petitioner's 37. Petitioner's  
23 37 is in evidence and I do not have a copy, Your Honor. It's  
24 Petitioner's Exhibit --

25 ALJ STECURA: So let's --

1 MR. FAVILUKIS: We can pull that up.

2 ALJ STECURA: If you are referring to an exhibit  
3 you don't have a copy, it's --

4 MR. FAVILUKIS: I can read from it, and I can say  
5 which page it's located on.

6 ALJ STECURA: No. No. Go forward. When you have  
7 a copy --

8 MR. FAVILUKIS: Understood.

9 ALJ STECURA: -- and when you think it's relevant -  
10 -

11 MR. FAVILUKIS: Understood. Understood. I will  
12 refer to the testimony -- to my client's testimony where he  
13 said that he was told by Mr. Chlapek that he had not had a  
14 key for the entire summer. So I'll -- I'll --

15 ALJ STECURA: That's -- or you can -- you have the  
16 opportunity to argue that in your closing brief.

17 MR. FAVILUKIS: Thank you, Your Honor.

18 MR. GEYLIK: So I don't know --

19 MR. FAVILUKIS: No, no.

20 ALJ STECURA: Your --

21 MR. FAVILUKIS: No.

22 ALJ STECURA: There's no question pending.

23 MR. FAVILUKIS: No. I'd like to move to petition -  
24 - Respondent's proposed Exhibit 25. J25. I may -- just one  
25 second, I apologize. I want to make sure that it's the right

1 one.

2 MR. GEYLIK: May I talk or no, --

3 ALJ STECURA: No.

4 MR. GEYLIK: -- there's no question?

5 ALJ STECURA: No, there's no question for you.

6 MS. JOSEPH: May I comment, Judge, because there's

7 --

8 ALJ STECURA: No.

9 MS. JOSEPH: Okay.

10 ALJ STECURA: I'm not asking for any comments.

11 Thank you.

12 MS. JOSEPH: No. It refers to -- to -- to J25  
13 before it's played.

14 ALJ STECURA: No. No. No. Thank you.

15 MR. FAVILUKIS: I -- I -- I just -- I'm double  
16 checking that it's J25. If you give me --

17 [CROSSTALK]

18 ALJ STECURA: Yes, I'm -- I'm waiting patiently.

19 MR. FAVILUKIS: Thank you, Your Honor. Okay. And  
20 -- so J25 -- I can close this. I don't need the entirety of  
21 J25, and perhaps that's what Ms. Joseph is concerned about.  
22 J25 is a, I believe, three plus minute video. I will -- I  
23 would like to start it at -- at 2:27. And, again, perhaps  
24 Ms. Joseph will be okay with it.

25 ALJ STECURA: Let's not speculate on -- on one

1 another's thoughts.

2 [CROSSTALK]

3 MR. FAVILUKIS: Understood. And so I will -- I  
4 will begin by authenticating.

5 Q: Michael, --

6 MR. FAVILUKIS: Yeah, go ahead.

7 MS. JOSEPH: Do I -- before Respondent's  
8 authenticate, Judge, I do have an objection. This video is  
9 not pertaining to the sum of 2024. It is from a timeframe  
10 that has nothing to do with the basis of why he's showing  
11 these videos. This is dated June, 2025.

12 MR. FAVILUKIS: That's precisely why I chose it.

13 MS. JOSEPH: So there's nothing -- it has -- it has  
14 nothing to this.

15 ALJ STECURA: Why -- why is this relevant?

16 MR. FAVILUKIS: Absolutely, Your Honor. So my  
17 client's belief is that Mr. Chlapek has never lost the key.  
18 That he actually takes the keys that my client has given and  
19 then hands them out. And we have video, which is what we  
20 proposed to show, with additional video from -- that we  
21 proposed to add last time that shows other people using the  
22 key coming in and out of the building.

23 ALJ STECURA: That's not relevant.

24 MR. FAVILUKIS: That's the concern that my client  
25 has, and that's the reason why, perhaps, he felt that Mr.

1 Chlapek was not being truthful in telling him that he was  
2 missing the key.

3 ALJ STECURA: It's not relevant.

4 MR. FAVILUKIS: That's our position, Your Honor.

5 ALJ STECURA: And my position is, it's not  
6 relevant.

7 MR. FAVILUKIS: I understand.

8 ALJ STECURA: Thank you.

9 MR. FAVILUKIS: I understand. So we'd like to move  
10 to introduce it into evidence. If -- if -- if -- if you're  
11 denying that --

12 ALJ STECURA: I am denying it. It's not relevant.  
13 Thank you. Did you have another video that's relevant that  
14 you wanted to --

15 MR. FAVILUKIS: Yeah.

16 ALJ STECURA: It's not your turn to talk.

17 MR. FAVILUKIS: Yes.

18 ALJ STECURA: You -- you don't have any questions.  
19 I know it's difficult. You have an attorney, he will ask you  
20 questions. Thank you.

21 MR. FAVILUKIS: We'd like to introduce J20, for the  
22 same purpose as J21, the -- to show the wrench. And I --  
23 I'll -- I'll attempt to authenticate now, Your Honor.

24 ALJ STECURA: Thank you.

25 Q: Michael, do you recognize the video?

1 A: Yes, that's the entrance to 109 East 9th Street.

2 Q: Okay. And can you tell me the date that this video was  
3 recorded?

4 A: Yes. It is August 17th, 2024 at 3:56 AM.

5 Q: Okay. And is this video maintained by the same  
6 custodian as the previous one that we showed?

7 A: Yes.

8 MR. FAVILUKIS: Okay. We'd like to move to  
9 introduce this as Respondent's J20.

10 ALJ STECURA: Any objection?

11 MS. JOSEPH: I basically have the same objection  
12 with regard to the timeframe that in --

13 ALJ STECURA: So the same objection as before?

14 MS. JOSEPH: -- it's -- it is serving as the basis  
15 for Respondent's relevance which is based on the text that on  
16 --

17 ALJ STECURA: I'm going to overrule.

18 **[Respondent's Exhibit 20J admitted into evidence.]**

19 MS. JOSEPH: Okay.

20 ALJ STECURA: Thank you.

21 MS. JOSEPH: You're welcome, Judge.

22 MR. FAVILUKIS: And I'll rewind this to the  
23 beginning.

24 [VIDEO PLAYED]

25 Q: And, Michael, again, as you did with the first video,

1 can you please describe what's happening in this one?

2 A: Mr. Chlapek is entering the building at the time he  
3 claims that he didn't have the key. The key is in his hand.

4 Q: And can you describe --

5 A: That's the wrench.

6 Q: That's the wrench?

7 A: Yeah.

8 MR. FAVILUKIS: And I stopped it at 14 seconds, but  
9 this one -- this video pretty clearly, I think, shows the  
10 wrench.

11 ALJ STECURA: You're testifying.

12 MR. FAVILUKIS: Apologies, Your Honor.

13 [VIDEO PLAYED]

14 MR. FAVILUKIS: And I can stop it at 18 seconds.

15 ALJ STECURA: Thank you.

16 Q: Michael, is there something that you didn't finish  
17 saying about this video?

18 A: I -- I was promise to tell the truth and I want to tell  
19 the truth. So the door on the left is the entrance to the  
20 bathroom that everybody uses that has no lock. So the reason why  
21 Mr. Chlapek is asking for the keys, because they use this restroom  
22 to sell and buy drugs. So they leave the drugs in --

23 MS. JOSEPH: Judge, I'm going to object to this  
24 testimony coming in.

25 ALJ STECURA: There's no question.

1 MR. GEYLIK: And it's -- it -- that the truth.

2 MR. FAVILUKIS: Michael. Michael.

3 [CROSSTALK]

4 MR. GEYLIK: It's -- it's -- it's probably likely  
5 being used for --

6 [CROSSTALK]

7 ALJ STECURA: Yes. That -- that test -- stop.  
8 That testimony has been stricken.

9 MS. JOSEPH: Thank you, Judge.

10 MR. FAVILUKIS: Thank you, Your Honor.

11 Q: Michael, how many times has Mr. Chlapek asked you for a  
12 replacement key?

13 A: A few times. I don't remember exactly.

14 Q: Was the text that Ms. Joseph is referring to the first  
15 time that he asked you for a replacement key?

16 ALJ STECURA: Okay. Specific dates? I mean, --

17 A: I don't remember.

18 Q: Was the -- was the first -- when was the first -- do you  
19 remember when the first time that Mr. Chlapek asked you for a  
20 replacement key?

21 A: I don't remember, but at every given time when he was  
22 asking for a replacement key, I saw him entering the building with  
23 the key.

24 Q: So did I understand correctly, has Mr. Chlapek asked you  
25 for a replacement key more than once?

1 A: Yes, he did.

2 Q: Have you given Mr. Chlapek, more than once, --

3 A: Yes.

4 Q: -- a replacement key?

5 A: Yes, I did.

6 Q: Do you remember how many?

7 A: At least three, four times.

8 Q: Okay. And do you remember, approximately, the time  
9 period when these requests for replacement keys was?

10 A: '23, '24, '25.

11 Q: Okay.

12 MS. JOSEPH: So I -- I move to -- to --

13 ALJ STECURA: The years, '23, '24?

14 MR. FAVILUKIS: Yeah, those are the years, I think,  
15 he's referring to.

16 MR. GEYLIK: Yeah.

17 ALJ STECURA: So over the period -- okay.

18 MS. JOSEPH: So I just move to -- to -- to -- to  
19 strike anything that's outside of the inquiry period, which  
20 is March '24 to the present, so.

21 ALJ STECURA: I'm going to overrule on this, but I  
22 would ask that we keep to the inquiry period and I'll remind  
23 Mr. Joseph she has the opportunity to cross examine Mr.  
24 Geylik.

25 MS. JOSEPH: Thank you.

1 MR. FAVILUKIS: Thank you, Your Honor.

2 Q: Michael, the inquiry in this particular proceeding  
3 started on March 4, 2024, even though some of the testimony has  
4 veered outside of that period at varying times, but the inquiry  
5 period for this particular proceeding is March 4th, 2024 forward.

6 A: Yeah.

7 Q: Do you understand what I mean by that?

8 A: Yes.

9 Q: Forward. Since March 4th, 2024, has Mr. Chlapek asked  
10 you for a replacement key more than once?

11 A: Yes, he did.

12 Q: And why do you think that Mr. Chlapek has asked you for  
13 a replacement key more than once?

14 MS. JOSEPH: Objection, Your Honor. He's asking  
15 the witness as to -- with the frame of mind of another  
16 person. Why did -- Mr. Chlapek thought something.

17 MR. FAVILUKIS: No.

18 MS. JOSEPH: He can't -- he is not authorized to  
19 comment on what Mr. Chlapek thought.

20 MR. FAVILUKIS: That's not my question.

21 ALJ STECURA: That's not what the question was. If  
22 you understand the question, you can answer it.

23 MR. FAVILUKIS: Thank you, Your Honor.

24 A: Can you repeat the question one --

25 Q: Yeah. Why do you think Mr. Chlapek has asked you for a

1 replacement key more than once since March 4th, 2024?

2 A: There are a lot of people coming in and out of the  
3 building constantly, like visitors from Mr. Chlapek; and there is  
4 one person in particular that I think might be even living there,  
5 Rio, his girlfriend; so -- and he probably wants to give the key  
6 to her and other people that come to see him.

7 Q: That's what you think?

8 A: Yeah.

9 MS. JOSEPH: Object -- again -- I'm sorry. I  
10 object. It is speculative. The testimony comes in as to  
11 what Mr. Chlapek probably wants to do. There is no basis for  
12 that.

13 ALJ STECURA: It is -- but it -- it's limited to  
14 that. That's his belief.

15 Q: What -- what basis do you have for your belief?

16 A: Because my -- my belief is that when -- like, tenants  
17 probably don't realize that on one of my screens, I have all the  
18 cameras and I see everything that's happening and I am by the  
19 computer like literally 100 hours a week. And when you see  
20 constantly that Mr. Chlapek has certain visitors that come more  
21 than once and he has to come downstairs to open the door for them,  
22 he wants me to give him extra keys so he can give out extra keys  
23 to the people that associated with him. That's what I -- that's  
24 the only reason because whenever he claims he doesn't have a key,  
25 he opens the door with the key.

1 MS. JOSEPH: Okay.

2 Q: The people that you see --

3 A: Yeah.

4 Q: The people that you just mentioned you see on the video,  
5 do they always go in, go up and into Mr. Chlapek's apartment?

6 A: No. Sometimes they go into the bathroom and they leave  
7 right before Mr. Chlapek goes into the bathroom. So they leave  
8 something in the bathroom, they exchange in order not to come up  
9 to his unit --

10 ALJ STECURA: Okay.

11 A: -- and they leave.

12 ALJ STECURA: So now we're getting into the world  
13 of speculation.

14 MR. FAVILUKIS: Sure. Well, this is what he says  
15 he sees on the video.

16 MS. JOSEPH: No --

17 MR. GEYLIK: And it happens all the time.

18 ALJ STECURA: That we're going beyond what he sees  
19 from the video.

20 MR. FAVILUKIS: Sure. I understand. I understand.

21 Q: Michael, can you tell us what you see --

22 ALJ STECURA: I think the point has been made.  
23 It's time to move forward.

24 MR. FAVILUKIS: Thank you, Your Honor. Thank you,  
25 Your Honor. Michael -- and this will be -- I -- I have two

1 videos that relate to the key, Your Honor, they're relatively  
2 recent. If I may a -- ask the witness to step out because  
3 it's -- I'd like to ask them about it. Be -- before I do, I  
4 want to discuss this with you.

5 ALJ STECURA: Okay. Should we go off the record?

6 MR. FAVILUKIS: Thank you, Your Honor.

7 ALJ STECURA: Okay.

8 MR. GEYLIK: I should step out?

9 ALJ STECURA: So you're going to step out, Mr.  
10 Geylik, for one second. I'm going to remind you don't talk  
11 to anybody, please, sir.

12 [OFF THE RECORD]

13 [ON THE RECORD]

14 ALJ STECURA: You may proceed.

15 MR. FAVILUKIS: Thank you, Your Honor.

16 Q: So, Michael, I -- I want to ask you since -- since you  
17 purchased the building, have you received any HPD violations for  
18 the building?

19 A: Yes.

20 Q: When was the first time that you received HPD violations  
21 for the building after you purchased it?

22 A: June or July, 2025.

23 Q: So th -- so these -- these violations that were issued a  
24 week before the last --

25 A: Yes.

1 Q: -- proceeding were the first time?

2 A: Yes. I never had HPD violations before since I bought  
3 the building.

4 Q: And did -- were there -- were there HPD violations that  
5 were open or of record for the building when you bought the  
6 building?

7 MS. JOSEPH: Objection, Your Honor. Asked and  
8 answered.

9 MR. FAVILUKIS: No, no, the --

10 ALJ STECURA: No, the question wasn't answered --  
11 asked and answered. Overruled. Thank you.

12 MR. FAVILUKIS: Thank you.

13 A: There were some violations -- HPD violations when I  
14 bought the building, I corrected them and I had a dismissal  
15 request inspection, and all the violations were cleared.

16 Q: Do you remember what those were?

17 MS. JOSEPH: Objection, Your Honor. There's --  
18 there's no relevance to the allegations.

19 MR. FAVILUKIS: I'll withdraw. I'll withdraw.

20 ALJ STECURA: Thank you.

21 Q: The -- okay. The -- there are -- on the DOB website  
22 there are violations that say that they're open --

23 MS. JOSEPH: I -- I -- I object to counsel  
24 testifying.

25 MR. FAVILUKIS: No, I'm setting up the question. I

1 have a question about the open DOB violations. The --  
2 they're part of our proposal.

3 ALJ STECURA: Sustained.

4 MR. FAVILUKIS: Okay.

5 Q: Michael, are there any open DOB violations for the  
6 building?

7 A: Yes.

8 Q: Can you des -- can you tell me about those?

9 A: Yeah. There are two emergency work violations that are  
10 open that were issued by the forensic engineering unit. And those  
11 violations have a control number. Those are special type of the  
12 violations. One of that violation is for me installing a  
13 temporary shoring that runs from the basement through my basement  
14 to the 1st floor, to the 2nd floor to catch the cracked header  
15 that's holding up the entire staircase. That violation is still  
16 open because in order for me to remove it, I have to remove the  
17 temporary shoring and I cannot remove the temporary shoring to  
18 remove this violation because I have a second emergency work order  
19 violation that requires me to permanently fix the building where I  
20 complied with the DOB order. I got the approved set of plans to  
21 do the work. I got the permit, but my permit was suspended  
22 because of this exact proceeding that was caused by complaints by  
23 the tenants that required HPD to suspend the certificate of no  
24 harassment. And then that suspension triggered or was referred to  
25 the DOB and the DOB suspended the permit that I had opened to

1 repair the building.

2 ALJ STECURA: So the question has gone beyond  
3 responsiveness.

4 MR. FAVILUKIS: Apologies. I -- I apologize. So I  
5 sh -- what I should have --

6 MR. GEYLIK: But that --

7 ALJ STECURA: Stop.

8 MR. GEYLIK: I'm leading to the third violation.  
9 Okay.

10 MR. FAVILUKIS: So what I'd like to do is move to  
11 introduce Respondent's proposed G11. It's a seven-page  
12 document. The last page is my certification. It's a print -  
13 - it's just printouts from the DOB'S website of all of the  
14 DOB violations; what's classified as violations on the DOB  
15 website that have been issued during the inquiry period.  
16 Okay. And --

17 ALJ STECURA: Why was that not included --

18 MR. FAVILUKIS: They --

19 ALJ STECURA: I'm speaking, please. Why was that  
20 not included before in your exhibit lists and ex -- proposed  
21 exhibits?

22 MR. FAVILUKIS: They are. They are, but what we  
23 even -- what we've had -- what -- what's in evidence already  
24 are the actual written control numbers, what Michael just  
25 referred to. These are the DOB website, like online

1 printouts of the same. And I thought it would be helpful for  
2 him to look at this and describe the violations that are  
3 currently listed as active. The -- if you look, they  
4 actually match what's in evidence. The -- the -- the  
5 violation numbers match what's the control numbers and we've  
6 discussed these in the past and I believe all but one, which  
7 is irrelevant to this proceeding, which is a b -- a boiler  
8 violation that was dismissed, the actual physical versions  
9 are in evidence.

10 MS. JOSEPH: So --

11 ALJ STECURA: Hold on. Is there a prior iteration  
12 of G11 that was already admitted?

13 MS. JOSEPH: Yes, Judge, there's two of them.  
14 There's partian -- partial Petitioner 20 --

15 ALJ STECURA: I was asking that question to  
16 Respondent, Mr. Favilukis. Did you already admit G11?

17 MR. FAVILUKIS: No, we've not admitted this version  
18 of G -- we've not admitted this.

19 ALJ STECURA: So what --

20 MR. FAVILUKIS: The other --

21 ALJ STECURA: -- was previously admitted?

22 MR. FAVILUKIS: What's been previously admitted  
23 have been the control numbers. They're both re -- they're  
24 Respondent's and our exhibits; I can look them up.

25 ALJ STECURA: Yes.

1 MR. FAVILUKIS: The control --

2 ALJ STECURA: Which exhibits -- is this G --

3 MR. FAVILUKIS: So page 1 of G11 and --

4 ALJ STECURA: Is this G4, G5, G6?

5 MR. FAVILUKIS: No, this would be --

6 MS. JOSEPH: F4.

7 ALJ STECURA: I'm -- I'm asking --

8 MS. JOSEPH: I know.

9 ALJ STECURA: -- Respondent. Thank you.

10 MR. FAVILUKIS: I'm just looking in both of our  
11 exhibit folders here. It would be our Exhibit C. Okay. And  
12 I believe --

13 ALJ STECURA: Hold on. Exhibit C. Okay.

14 MR. FVAILUKIS: So those are DOB control numbers  
15 341657 and 341658, which are referred to in -- as page 1 of  
16 G11, page 2 of G11. And then the subsequent page 4, 5 and 6  
17 are not something that we have copies of. They were uploaded  
18 to the DOB website, but they're -- I don't -- I'm not quite  
19 sure how to explain that they're not actual violations.  
20 They're -- they're related to the control numbers. One was  
21 withdrawn or revoked, I believe because the work -- the  
22 emergency workforce completed the other one --

23 ALJ STECURA: So why -- if you are --

24 MR. FAVILUKIS: I was -- I would --

25 ALJ STECURA: For what purpose do you wish to admit

1 these documents and why are they not cumulative?

2 MR. FAVILUKIS: Sure. So I don't believe they're  
3 cumulative because they show the progression of my client's  
4 being frustrated, not frustrated from an emotional  
5 standpoint, but frustrated from actually doing the work, the  
6 structural work that we've been talking about. The control  
7 numbers that are our Exhibit C were directives from the DOB.  
8 Perform emergency work, meaning shore up the building. We  
9 discussed that, that was the engineer testimony. That was  
10 done within two days. And again, I don't want to  
11 characterize my client's testimony and we can -- I can say  
12 this off the record, what he was saying was that that  
13 violation appears as active on the DOB website, which is on  
14 page 1 of our G11 because in order to certify correction of  
15 it, he needs to actually remove the temporary shoring.

16 ALJ STECURA: Okay. So you're testifying for him.

17 MR. FAVILUKIS: Sure.

18 ALJ STECURA: Which I -- I don't want. I just want  
19 to know why it's relevant and why it's not cumulative, which  
20 I think you've answered. So if you want to provide us with a  
21 copy of proposed G11 and --

22 MR. FAVILUKIS: Thank you. It'll just help me  
23 guide his testimony a little bit.

24 ALJ STECURA: That's fine. But you need to get it  
25 into evidence, it's not in.

1 MR. FAVILUKIS: Yeah.

2 [OFF MIC CONVERSATION]

3 ALJ STECURA: Thank you.

4 MR. FAVILUKIS: Should I give it to him yet or?

5 ALJ STECURA: Yes. Because you're going to have  
6 them authenticated, correct? Yes.

7 MR. FAVILUKIS: Well -- well actually, I mean, I --  
8 these were typed --

9 [CROSSTALK]

10 ALJ STECURA: Oh, you're moving it in as a --

11 MR. FAVILUKIS: Yeah, I'm moving because I printed  
12 it out as --

13 ALJ STECURA: That's not how it works. You don't  
14 move it because you printed it out.

15 MR. FAVILUKIS: No, I -- I -- I certify it as being  
16 true and accurate, but I can have them authenticated.

17 ALJ STECURA: Right. But you don't keep the DOB  
18 website, so --

19 MR. FAVILUKIS: No, I understand that.

20 ALJ STECURA: -- your certification -- yes, go  
21 ahead.

22 Q: Michael, do you -- can you flip through the pages of  
23 that?

24 A: Yeah.

25 Q: Then just tell me when you're done.

1 A: I'm done.

2 Q: And do you recognize these printouts?

3 A: I do.

4 Q: What are they?

5 A: Those are the printouts from the Building Department's  
6 BIS system.

7 Q: Do you know what BIS stands for?

8 A: Building Information System.

9 Q: Do you know who maintains the Building Information  
10 System?

11 A: The New York City Department of IT and Technology.

12 Q: Okay. And have you gone on the BIS system yourself  
13 before?

14 A: Every day, multiple times, yes.

15 Q: Okay. And so you're familiar with where -- where this  
16 was printed from?

17 A: Very familiar.

18 MR. FAVILUKIS: Okay. I'd like to move this into  
19 evidence as Respondent's G11.

20 ALJ STECURA: Any objection?

21 MS. JOSEPH: Yes, Judge. These are cumulative. In  
22 -- in other words, it's -- the first two pages or part is --  
23 is actually admitted as Exhibit 28 for Petitioner. And I  
24 believe I -- if I'm not mistaken, that the third page,  
25 Respondent counsel said is not relevant. So I don't know why

1 that is there or you could take it out.

2 MR. FAVILUKIS: We can omit the third page.

3 MS. JOSEPH: So I will take -- take it out. And --  
4 and as far as the last two pages, I mean other than the  
5 certification page, this is dated April 14th, 2025. And this  
6 should have been submitted -- especially because it's a  
7 record available online, you should have submitted so  
8 Petitioner could have referred to it or could have made any,  
9 you know, strategy changes or elicit testimony from its --  
10 from its testimony. It's -- it's -- it's belated. It is  
11 also -- it is also -- it ref -- it refers to, if you could  
12 see the last -- again, after the certification page, it  
13 refers to application that ends in 265-I1. That application  
14 in and of itself is also admitted into the record as  
15 Petitioner 25. So we have this in evidence and these two  
16 pages are belatedly attempted to be admitted, which I don't  
17 see the -- how probative it is.

18 ALJ STECURA: All right. I'm going to admit over  
19 objection.

20 **[Respondent's Exhibit G11 admitted into evidence.]**

21 ALJ STECURA: But I'm going to ask that a new  
22 version minus page 3 be submitted. And I'm going to note  
23 again that Respondent should have produced this document  
24 earlier.

25 MR. FAVILUKIS: Understood. Thank you, Your Honor.

1 Q: So, Michael, I -- I want to ask you about pages 1, 2, 4,  
2 5, and 6 of this document, not page 3. Okay. So, page 1, can you  
3 read to me the description of that violation -- what's referred to  
4 as a violation?

5 A: "Emergency work order, maintain building with wood joist  
6 and cracked 3rd floor header with inadequate connection to the  
7 trimmer, which has supporting interior wall adjacent to stairs.  
8 Floor severely sloping towards the center stair at 2nd through 5th  
9 floors. Owner to immediately retain NYS PE," which stands for  
10 professional licensed -- professional engineer, "licensed GC to  
11 shore the building as required and the full time under -- under  
12 full time," I don't know, "constant supervis -- constant and YS  
13 supervision direction."

14 Q: And was this directive complied with?

15 A: Yes.

16 Q: And how quickly did you comply with this directive after  
17 receiving the original --

18 A: I believe within 48 hours.

19 Q: And -- and -- and why then is this listed as active?

20 A: Because --

21 MS. JOSEPH: Objection, Your Honor. This is a DOB  
22 record. He's asking the witness why is DOB listed --

23 [CROSSTALK]

24 MR. GEYLIK: Because I know --

25 ALJ STECURA: Stop.

1 MR. FAVILUKIS: No, no.

2 ALJ STECURA: There's an objection. You don't  
3 speak if it's not -- if there's an objection, please. So I'm  
4 going to sustain the objection and I'm going to ask  
5 Respondent's counsel, Mr. Favilukis, please rephrase the  
6 question.

7 MR. FAVILUKIS: Yep, will do.

8 Q: Michael, before starting your own business, what did you  
9 do?

10 A: I did expediting work, removing ECB DOB violations.

11 Q: I'm sorry, you said ECB --

12 A: And DOB violation.

13 Q: -- and DOB violations?

14 A: Yes, among other expediting.

15 Q: And how long did you do that work for?

16 A: For four years.

17 Q: For four years. In that line of work, did you have to  
18 deal with certifying correction of DOB violations?

19 A: Yes, I did.

20 Q: So in that line of work, did you have experience with  
21 interpreting the DOB's --

22 A: Yes, I did.

23 Q: No, just let me finish the question. Did you have  
24 experience interpreting the DOB's designations; active, dismissed,  
25 withdrawn, rescinded?

1 A: Yeah, I'm very familiar with ECB and DOB violations.

2 Q: Okay. So in your experience from that work that you did  
3 before starting your own business, what does the designation  
4 active mean in a situation like this?

5 A: So it might have multiple meanings. It might mean that  
6 the violation is active because it was never corrected. It is  
7 also possible that the violation has active status because it was  
8 physically corrected but never reported to the DOB as corrected or  
9 it could be that it is corrected, but it was never inspected -- I  
10 -- it was -- it's active, but it was never inspected by DOB to  
11 verify that the correction was done. In my circumstances, the  
12 work doesn't --

13 [CROSSTALK]

14 ALJ STECURA: Okay. You've answered the question.

15 Q: Okay, that's enough. So let me ask you, have you spoken  
16 to anybody at the DOB about this violation and why it's listed as  
17 active?

18 MS. JOSEPH: Objection, Your Honor. I don't see  
19 the relevance to any -- any allegation. I mean, I understand  
20 this was admitted into evidence, but the line of questioning,  
21 I don't see the relevance.

22 ALJ STECURA: Overruled.

23 MR. FAVILUKIS: Thank you, Your Honor.

24 Q: Have you spoken to anybody at the DOB about why this  
25 violation is listed as active?

1 A: Yes.

2 Q: Who did you speak to and what did they say?

3 A: I spoke to Philip Ing, I spoke to John Raine.

4 Q: Just one stop -- one second.

5 A: Yeah.

6 Q: Who -- just for the record, because, you know, we  
7 haven't been here for a while. Who is Philip Ng?

8 A: He is a forensic engineer who actually inspected the  
9 building multiple times and who wrote these violations.

10 Q: Okay. And his last name is spelled N-G?

11 A: Yeah.

12 Q: And who is -- you said the second name was?

13 A: John Raine.

14 Q: And who is John Raine, whose last name is spelled R-A-I-  
15 N-E?

16 A: He's the borough commissioner -- borough Manhattan  
17 commissioner.

18 Q: For which agency?

19 A: Department of Buildings.

20 Q: And so you spoke to Phillip Ng, the head forensic  
21 engineer at the DOB and John Raine, who's the borough commissioner  
22 --

23 A: Yes.

24 Q: -- for the DOB in Manhattan --

25 A: Yes.

1 Q: -- about why this violation is listed as active. And  
2 what did they tell you?

3 A: They told me that -- I explained that --

4 Q: No, no, no, just one second. I don't want to -- I don't  
5 -- want your testimony -- go ahead.

6 A: My goal is to maintain zero violations on the building  
7 and I explained to them that they have complied with the order and  
8 I installed the temporary shoring. I would like to remove the  
9 violation because it was done. They said you cannot remove the  
10 active violation for that particular work that you did, because in  
11 order for you to do that, the shoring has to be removed and I  
12 cannot remove the shoring because I cannot fix the building  
13 upstairs for which I had approved plans and the permit to do the  
14 work. So that's why this violation remains active.

15 Q: Okay. Go ahead and flip to page 2.

16 A: Yeah.

17 Q: And can you read that description?

18 A: "Failure to maintain building in safe condition, main  
19 building and cracked 3rd floor header with an -- inadequate  
20 connection to tremor, which was supporting interior wall adjacent  
21 to stair. Floor severely sloping towards. Own -- towards. Owner  
22 to retain NYS PE," which stands New York State professional  
23 engineer, "to evaluate the entire building and file repaired  
24 drawings with DOB. Permit -- repair to begin on the permit  
25 10/14/2024 and completed and signed off." There are additional

1 information that's omitted here.

2 Q: Okay. And what has been done to address this violation

3 --

4 A: So --

5 Q: -- or this requirement?

6 A: -- we evaluated the building as required by this  
7 particular emergency work order to understand the structural  
8 schematic -- schematics of the beams to draw the plan, how to  
9 properly repair. And we submitted the proposed repair plan to the  
10 DOB. The plan was approved. At the time I had certificate of no  
11 harassment active. The job was permitted and I was ready to do  
12 the work.

13 Q: Sorry, the job -- did you say the job was permanent?

14 A: Permitted.

15 Q: Permitted.

16 A: Meaning that I had approved plan by DOB to fix the  
17 building and the permit for the construction was issued.

18 Q: I see. And how did you evaluate the building?

19 A: In order for us to evaluate the building, we tried to do  
20 it the minimum invasive way to the tenants, and we proposed to the  
21 forensic engineering unit that we would do the openings in the  
22 vacant units only not to disturb the tenants. So DOB approved  
23 this and we opened up the ceiling and the floors to expose the  
24 beams to understand the condition of the break of the beams and  
25 the way they are situated because there were no plants available

1 for this building that was built 1850. So we had to open the  
2 floors and the ceiling to provide the proper schematics where the  
3 beams are and to -- to understand how to repair it.

4 Q: And was that done with or without supervision of a  
5 professional engineer?

6 A: Everything was done in coordination with the Building  
7 Department and under the supervision of the professional engineer.

8 Q: Who was that professional engineer?

9 A: Sebastian. He testified two months ago.

10 Q: Okay. And who was -- who was from the Building  
11 Department was -- was --

12 A: There are probably dozen people on the email chain,  
13 including the forensic engineering unit, the legal team in the  
14 Building Department, the commissioner.

15 Q: And is it your unders -- is the inspection -- you  
16 mentioned that there's going to be a d -- DOB inspection --

17 A: Yes.

18 Q: -- coming up. Is that DOB inspection related somehow to  
19 these conditions?

20 A: Yes, they -- it's related to these conditions because  
21 there are illegal ac -- there is illegal plumbing and --

22 Q: Okay. That's enough. I don't want you to go into  
23 further than what my question is. So -- so is the DOB inspection  
24 going to inspect just the vacant units?

25 A: No.

1 MS. JOSEPH: Objection, Your Honor.

2 MR. FAVILUKIS: Okay.

3 ALJ STECURA: What's your objection?

4 MS. JOSEPH: He's asking him what would the DOB  
5 inspection going -- what did DOB going to do in -- in their  
6 inspection.

7 MR. FAVILUKIS: I --

8 MS. JOSEPH: I don't see any -- I don't see any  
9 basis that would authenticate -- will authorize this witness  
10 to --

11 MR. FAVILUKIS: It's part of my --

12 ALJ STECURA: Wait, hold on. Is it -- your  
13 question is how would he know what DOB is thinking or what  
14 they're planning to do because he's not DOB?

15 MS. JOSEPH: Yes.

16 ALJ STECURA: So can you reframe your question --

17 MR. FAVILUKIS: I will.

18 MR. GEYLIK: Yeah.

19 ALJ STECURA: -- to understanding and also --

20 MR. FAVILUKIS: Thank you, Your Honor.

21 ALJ STECURA: -- with relevance to our case.

22 MR. FAVILUKIS: Absolutely.

23 Q: So the relevance -- so, Michael, do you know if -- this  
24 is going to be a two-part question. Do you know --

25 ALJ STECURA: No. One question, next question.

1 Thank you.

2 Q: Do -- do you know whether the DOB will inspect only the  
3 vacant units or will they also inspect the occupied units? Do you  
4 know?

5 A: They will be -- I do know.

6 Q: How do you know this?

7 A: Because I directly communicated with the Law Department  
8 counsel who represents the City of New York, and then intermediary  
9 between the Building Department and the Law Department. So I had  
10 a -- a --

11 Q: And what is that person's name?

12 A: His name is Bob Gaines, Robert Gaines.

13 Q: Am I on those emails, Michael?

14 A: You are.

15 Q: And did you have this conversation with Bob Gaines or  
16 Robert Gaines on Monday?

17 A: Yes, I did.

18 Q: Okay. And on Monday when you had this conversation with  
19 the representative from the DOB, Robert Gaines --

20 A: Yeah.

21 Q: -- is that right, was I present?

22 A: Yes.

23 Q: And during that conversation did the tenants volunteer  
24 to have their apartments inspected by the DOB?

25 MS. JOSEPH: Obje -- objection, Your Honor.

1 Q: Did the tenant's counsel --

2 ALJ STECURA: Hold on, there's an objection. Yes.

3 MS. JOSEPH: Objection, Your Honor. I believe we  
4 were talking about this violation and what was done to repair  
5 it and an upcoming DOB inspection. We are venturing into  
6 conversation with the tenants, and I believe the question was  
7 tenant's attorney. I don't see the relevance of all that  
8 with regard to this particular violation that DOB is going to  
9 inspect --

10 MR. FAVILUKIS: So the relevance --

11 MS. JOSEPH: -- which is --

12 MR. FAVILUKIS: -- is -- the relevance is with  
13 respect to the allegations that my client went beyond what  
14 was necessary in their probing work, which we've now  
15 established was only done in vacant units. The probing work  
16 he just testified was done to the minimum that was re -- that  
17 was necessary with the supervision of an engineer --

18 ALJ STECURA: Why is your question relevant?

19 MR. FAVILUKIS: My question is whether or not the  
20 DOB is going to inspect vacant units, which would be  
21 sufficient for the DOB, or does the DOB also need to inspect  
22 occupied units?

23 ALJ STECURA: All right. Sus --

24 MS. JOSEPH: It was asked and answered, that issue.

25 MR. FAVILUKIS: Yes.

1 ALJ STECURA: The question has been answered. You  
2 can move on.

3 MR. FAVILUKIS: Yes.

4 ALJ STECURA: Thank you.

5 Q: So was -- is the DOB'S inspection of occupied units, was  
6 that a voluntary inspection or was that objected to by the  
7 tenant's counsel?

8 MS. JOSEPH: Objection, Your Honor. What is the  
9 relevance?

10 ALJ STECURA: I don't see how it's relevant.

11 MR. GEYLIK: I can explain.

12 MR. FAVILUKIS: I can rephrase. I can rephrase. I  
13 can rephrase it.

14 ALJ STECURA: Rephrase so that it's relevant.

15 MR. FAVILUKIS: Yes.

16 ALJ STECURA: Thank you.

17 MR. FAVILUKIS: Yes.

18 Q: Is there any reason that you know of why any tenant  
19 would object to a vio -- to an inspection by the DOB of their  
20 apartment?

21 MS. JOSEPH: Objection, Your Honor.

22 A: I do.

23 MS. JOSEPH: Objection, Your Honor.

24 ALJ STECURA: What's your objection?

25 MS. JOSEPH: Now it -- it's twofold. First of all,

1 the question is why would a tenant refuse.

2 MR. FAVILUKIS: No.

3 MS. JOSEPH: And that this -- this Respondent is  
4 not the tenant. So I don't see as him qualifying to answer  
5 that question. And -- and quite frankly, as far as  
6 relevance, the allegation is with regard to the vacant -- to  
7 the vacant rooms. It has nothing to do with tenants'  
8 apartments. So it's not relevance to any inspection in  
9 tenants' units that is the subject of this questioning here.

10 MR. FAVILUKIS: The -- the testimony previously has  
11 been, our engineer's testimony was that there's weight in the  
12 tenant's occupied units, that's compromising the structural  
13 stability of this building. And so far, as far as we know,  
14 there has not been any formal inspection by either HPD or DOB  
15 of any occupied units.

16 ALJ STECURA: And so it's not relevant to the  
17 petition either.

18 MS. JOSEPH: That's right.

19 MR. FAVILUKIS: The allegation.

20 ALJ STECURA: So sustained.

21 MR. FAVILUKIS: I understand. I understand.

22 MS. JOSEPH: Thank you, Judge.

23 MR. FAVILUKIS: I understand, Your Honor.

24 Q: So, Michael, has the DOB asked you to come in -- at any  
25 time within this inquiry period, March 4th -- March 4th, 2024

1 through present, has the DOB asked you to inspect any spaces in  
2 the building?

3 A: Me personally?

4 Q: Yeah. Has the DOB contacted you or wanted -- asked you  
5 to inspect any space in the building?

6 A: On their own?

7 ALJ STECURA: Okay.

8 A: I don't --

9 ALJ STECURA: He doesn't understand the question.

10 MR. GEYLIK: Yeah. I don't --

11 Q: Have you received a request from anybody at the DOB to  
12 inspect any area in the building since March 4th, 2024?

13 ALJ STECURA: Who -- who would be inspecting? Your  
14 -- I don't understand your question. Can you please  
15 rephrase.

16 Q: Any -- any DOB inspector or --

17 A: Yeah, forensic engineering unit.

18 Q: Got it.

19 ALJ STECURA: Wait, there's no --

20 Q: Yeah, any -- any person --

21 ALJ STECURA: I -- I missed all of that. So please  
22 ask the question.

23 Q: Has anyone associated with the DOB asked you to inspect  
24 any portion of the building by the DOB --

25 A: Yes.

1 ALJ STECURA: Hold on.

2 Q: -- at any point since March 4th, 2024?

3 A: Yes.

4 Q: Okay. And did you refuse?

5 A: Never.

6 Q: You never objected to a DOB inspection?

7 A: Never.

8 MS. JOSEPH: Objection. Asked and answered.

9 ALJ STECURA: Sustained.

10 MR. FAVILUKIS: Thank you, Your Honor. I have no  
11 further questions, Your Honor.

12 ALJ STECURA: Are you ready, Ms. Joseph, or Mr.  
13 Mestousis?

14 MS. JOSEPH: I just need a -- a quick break, but  
15 yes.

16 ALJ STECURA: Okay.

17 MR. GEYLIK: Can I say something off the record?

18 ALJ STECURA: No, you --

19 MR. FAVILUKIS: No.

20 ALJ STECURA: -- you definitely cannot. We're on  
21 the record and you have an attorney. Your attorney will  
22 argue for you. All right. It's 11:16, is until 11:30 --  
23 will that suffice for you?

24 MS. JOSEPH: That's -- that will be fine, Judge.

25 ALJ STECURA: Okay.

1 MS. JOSEPH: Thank you very much.

2 ALJ STECURA: So I'm going to pause the record.

3 [OFF THE RECORD]

4 [ON THE RECORD]

5 ALJ STECURA: Okay. So now we are moving to the  
6 cross examination of Mr. Geylik. Ms. Joseph, you may  
7 inquire.

8 MS. JOSEPH: Thank you, Judge.

9 **CROSS EXAMINATION OF MR. GEYLIK**

10 **BY MS. JOSEPH:**

11 Q: Good afternoon, Mr. Geylik.

12 A: Good morning.

13 Q: Good morning. You -- you have a degree from Brooklyn  
14 college, right?

15 A: Yes.

16 Q: Yes. In what field?

17 A: Accounting and business management in finance.

18 Q: And you've been living in the US for about 20 years now?

19 A: Yes.

20 Q: You built up the company MGNY with your brother, Yuri;  
21 is that right?

22 A: Almost.

23 Q: Okay. Did you build up the company MGNY?

24 A: No. There are other people that were involved  
25 throughout the years.

1 Q: Okay. What are you -- what is your title with -- with  
2 relation to MGNY?

3 A: The current title is president and co-founder

4 Q: And what, I'm sorry?

5 A: Co-founder.

6 Q: Co-founder, okay. And you just testified before you  
7 built up your company or -- or before MGNY was established, you  
8 worked as an expeditor?

9 A: Yes.

10 Q: And that's going before city agencies regarding filings  
11 and ECB violations?

12 A: Part of it.

13 Q: Which -- which part?

14 A: Filing.

15 Q: Filing. You testified that you have experience with  
16 removing ECB and DOB violations.

17 A: I testified that I have a knowledge on the practices  
18 associated with expediting the removal of the violations.

19 Q: Okay. Do you also have experience with how to remove  
20 ECB and DOB violence or just not --

21 A: Can you explain me, please, what do you mean by  
22 experience?

23 ALJ STECURA: Okay. You don't ask your -- you --  
24 so you don't have to ask questions, just say I don't  
25 understand your question.

1 A: I don't understand your question.

2 Q: As an expeditor, did you actually come before city  
3 agencies to remove ECB and DOB violations?

4 A: I would come with the paperwork to be submitted when the  
5 relating conditions were corrected.

6 Q: And --

7 ALJ STECURA: Can you take this off the screen,  
8 please.

9 MS. JOSEPH: Oh, sorry.

10 ALJ STECURA: Thank you.

11 Q: And you -- your counsel resorted to explain to you the  
12 word ultimatum when -- with hand gestures. In your -- in your  
13 first language, isn't the word ultimatum the same?

14 A: I don't understand your question.

15 Q: How do you say ultimatum in Russian?

16 A: Ultimatum in Russian is ul -- ultimátum.

17 Q: Ultimátum?

18 MR. FAVILUKIS: Objection, Your Honor.

19 A: Yeah.

20 MR. FAVILUKIS: So -- may I?

21 ALJ STECURA: What's your objection?

22 MR. FAVILUKIS: What's the relevance of my client's  
23 understanding of the word ultimatum?

24 MS. JOSEPH: The relevance is that Counsel had to  
25 resort to hand gestures, and he just -- he

1 MR. FAVILUKIS: Mine?

2 MS. JOSEPH: He -- yes. And he --

3 ALJ STECURA: On what date?

4 MS. JOSEPH: It was on the beginning of direct  
5 examination, and he was portraying Respondent as someone  
6 who's not -- not -- not understanding that word in English.  
7 And so I --

8 ALJ STECURA: Sustained. Objection is sustained.

9 MR. FAVILUKIS: Thank you, Your Honor.

10 Q: So M -- MGNY, when about was that company created?

11 A: October, 2008.

12 MR. FAVILUKIS: If I may. Obj -- I would only  
13 object to the continuation of the questions about MGNY, which  
14 is neither a party here nor the landlord, nor, I believe, has  
15 any relevance to the incident or proceeding. And this is, I  
16 think, the -- I -- I've been --

17 ALJ STECURA: Sustained. I mean, yes, sustained.

18 MS. JOSEPH: Okay. May I just ask a question or?  
19 I -- I'll just ask the question, if it comes up then we -- I  
20 can respond if there's an objection, Your Honor.

21 MR. FAVILUKIS: I -- I'm -- I apologize. I -- I  
22 objected and I believe my objection was sustained.

23 ALJ STECURA: And I sustained the objection.

24 Q: Okay. So I'll ask, does MGNY as an --

25 MR. FAVILUKIS: Objection.

1 ALJ STECURA: She hasn't finished her question.

2 MR. FAVILUKIS: I'm sorry, Your Honor.

3 Q: Isn't it true that MGNY is an approved marketing agent  
4 managing affordable housing lotteries?

5 MR. FAVILUKIS: Objection.

6 ALJ STECURA: Overruled.

7 MR. FAVILUKIS: Thank you, Your Honor.

8 ALJ STECURA: You may answer.

9 A: It is true.

10 Q: Okay. And MGNY has been managing affordable housing  
11 lotteries for almost 10 years, thereabout?

12 A: About.

13 Q: And what -- what other consulting services do you  
14 provide other building owners with -- with relation to affordable  
15 housing?

16 MR. FAVILUKIS: Objection, Your Honor. What  
17 services MGNY provides to other landlords is not relevant in  
18 this proceeding.

19 ALJ STECURA: Sustained.

20 Q: When -- when you -- as -- I'm sorry, I withdraw that.  
21 As an approved marketing agent managing affordable housing  
22 lotteries, what -- what is the -- what is the process that MGNY  
23 does?

24 A: While I'm the president, I do not get involved in day-  
25 to-day operations that have to do with affordable housing.

1 Q: That wasn't the question. The question was, what is  
2 your company you are president for does as an improved marketing  
3 agent managing affordable housing lotteries?

4 MR. FAVILUKIS: Objection, Your Honor. I believe  
5 the question was answered.

6 ALJ STECURA: It wasn't answered so I'm going to  
7 going to ask -- I'm going to ask Mr. Geylik to answer the  
8 question.

9 A: I do not know the details

10 ALJ STECURA: Pardon me?

11 MR. GEYLIK: I do not know the details.

12 ALJ STECURA: Okay, thank you.

13 Q: Do you know, not the details, but do you know, in  
14 general terms, what does -- MGNV, as a marketing agent for  
15 affordable housing, what -- what is the -- what is their function?

16 A: Yes.

17 MR. FAVILUKIS: Objection, Your Honor.

18 ALJ STECURA: Overruled.

19 Q: What is it?

20 A: It's an intermediate between developers and HPD.

21 Q: And what does -- what does this intermediate do between  
22 the developers and HPD?

23 MR. FAVILUKIS: Objection, Your Honor. He answered  
24 earlier that he doesn't --

25 ALJ STECURA: Overruled. If you know the answer,

1 please answer it, sir.

2 A: I don't know more details than I already mentioned.

3 Q: Okay. What is the purpose for being a marketing agent  
4 managing affordable housing?

5 MR. FAVILUKIS: Objection, Your Honor.

6 Q: I'm not -- I'm not asking about details. I'm asking  
7 what is it that MGNY involvement is with regard to managing  
8 affordable housing for other developers?

9 MR. FAVILUKIS: Objection, Your Honor.

10 ALJ STECURA: What's your objection?

11 MR. FAVILUKIS: The purpose of MGNY -- what the  
12 purpose is for MGNY acting as a marketing monitor or -- or --  
13 or intermediary for other landlords has nothing to do with  
14 this proceeding.

15 ALJ STECURA: Sustained.

16 MS. JOSEPH: Well, Judge, I understand it's  
17 sustained --

18 ALJ STECURA: I've sustained the objection; you can  
19 ask another question.

20 MS. JOSEPH: Okay, Judge.

21 Q: Without telling me about the details of particular  
22 addresses and such, isn't it true that -- actually, I withdraw  
23 that. Okay. Isn't it true that MGNY function is the reaching out  
24 to app -- to thousands of applicants and then keeping track of  
25 documents those occupants submit for affordable housing lotteries?

1 MR. FAVILUKIS: Objection. Same objection.

2 ALJ STECURA: What your objection.

3 MR. FAVILUKIS: Same objection.

4 ALJ STECURA: Sustained.

5 MR. FAVILUKIS: Can you pardon me.

6 ALJ STECURA: I've sustained the objection.

7 MR. FAVILUKIS: Understood.

8 Q: And as far as you know, the firm has managed the  
9 affordable housing lotteries for addresses such as -- for --  
10 sorry, projects such as Brookfield Lincoln at Banks -- Bankside;  
11 is that right?

12 MR. FAVILUKIS: Objection. Same -- same objection.

13 ALJ STECURA: I don't see how it's relevant.

14 MR. FAVILUKIS: And -- and -- and I think that this  
15 is going to keep happening so I just want to make a general  
16 objection to the continued line of questioning that are all  
17 irrelevant?

18 ALJ STECURA: Mr. Geylik, could you please step out  
19 of the room for a moment. So I'm going to just pause the  
20 record.

21 MS. JOSEPH: Sure.

22 [OFF THE RECORD]

23 [ON THE RECORD]

24 ALJ STECURA: Go ahead, Ms. Joseph.

25 MS. JOSEPH: Thank you. I'll move on to -- I'll

1 touch on this subject later on, Judge, if that's fine. I'll  
2 move on to another subject.

3 Q: So you testified, Mr. Geylik, that you only filed plans  
4 to restore the bathroom on the 4th floor, you didn't file for the  
5 work permit with DOB; is that right?

6 A: Yes.

7 Q: Okay. And your -- on -- on your certificate of no  
8 harassment application you attached the plans that you filed with  
9 DOB showing the planned restoration of the kitchen, shower, and  
10 toilet, right?

11 A: I don't remember. I --

12 Q: Okay. Let me show you.

13 MS. JOSEPH: I'm going to show the witness --

14 MR. GEYLIK: I didn't file it. It was filed by an  
15 architect, Your Honor.

16 ALJ STECURA: Hold on. There's no question.

17 MS. JOSEPH: I'm going to show the witness  
18 Petitioner's 4, if that's okay.

19 ALJ STECURA: You may.

20 MS. JOSEPH: Thank you, Judge. Okay. And I only  
21 have three copies. Do I need a copy for the Court and a copy  
22 for Respondent?

23 MR. FAVILUKIS: We'd like a copy, yeah.

24 ALJ STECURA: Yes. Thank you.

25 MS. JOSEPH: You're welcome. Oh, there may be more

1 copies of the exhibit, yes, Judge. Okay. Here you go. I'm  
2 sorry, Your Honor, we -- we're going to try and find another  
3 copy here. Exhibit 4. It should be in there. You better --  
4 yeah, you better open it up. Hopefully it's there.  
5 Otherwise, I could do it from memory.

6 MR. FAVILUKIS: Will you say what this is?

7 MS. JOSEPH: I'm sorry.

8 MR. FAVILUKIS: Will you say what this is?

9 MS. JOSEPH: Yeah, I just -- I'm just trying to get  
10 -- get one if I have one. I don't know. No. Not this one.  
11 No, this is Respondent's. It's this one? Yes. Okay.

12 ALJ STECURA: I have my copy; you can take my copy.

13 MS. JOSEPH: Okay. I think I got it, Judge. Thank  
14 you, I got it.

15 MR. GEYLIK: There is my Social Security here.

16 MR. FAVILUKIS: I'm sorry?

17 MR. GEYLIK: There is my Social Security here.

18 ALJ STECURA: What?

19 MS. JOSEPH: I'm sorry.

20 ALJ STECURA: No, no, no, no, no. No one's asked  
21 you to open it up. Close it up, please.

22 MS. JOSEPH: Okay.

23 ALJ STECURA: You're not talking right now. You're  
24 not talking to your attorney right now. You're listening to  
25 Ms. Joseph's questions. She will direct you. This is --

1 exhibit is already admitted, correct?

2 MS. JOSEPH: Yes, it is.

3 ALJ STECURA: All right.

4 MS. JOSEPH: Can I just approach? I just want to  
5 make sure --

6 ALJ STECURA: Yes, of course.

7 MS. JOSEPH: -- there's nothing wrong with the  
8 exhibit I gave the respondent. Let me just see. Why are you  
9 pulling it away from me?

10 MR. FAVILUKIS: Check page 5, Ronit.

11 MS. JOSEPH: Yeah, I don't understand why you're  
12 pulling it away.

13 MR. FAVILUKIS: Check page 5, please.

14 MS. JOSEPH: Okay. I'm going to check that.

15 MR. FAVILUKIS: Thank you. This should be  
16 redacted, I believe.

17 MS. JOSEPH: No, this is an exhibit. It's not --  
18 nothing is redacted in it. Okay.

19 MR. GEYLIK: There's my Social Security --

20 MR. FAVILUKIS: Please, Michael, I will address it.

21 MS. JOSEPH: Yes, this is part of the exhibit.

22 MR. FAVILUKIS: I'll address it. I'll address it

23 ALJ STECURA: And those -- but yes, all Social  
24 Security numbers should be redacted. Nothing should be  
25 admitted that has this information.

1 MS. JOSEPH: Okay. So --

2 ALJ STECURA: So I'll ask you to --

3 MS. JOSEPH: Redact and resubmit.

4 ALJ STECURA: Yes.

5 MS. JOSEPH: I will do that.

6 ALJ STECURA: And to check to make sure that no  
7 other exhibits have this information.

8 MR. FAVILUKIS: Thank you, Your Honor. Thank you.

9 MS. JOSEPH: Okay. I understand, Judge.

10 ALJ STECURA: Thank you.

11 MR. GOLDSMITH: Just his date of birthday also, if  
12 that's possible, please.

13 MR. FAVILUKIS: It should redact phone numbers,  
14 Social Security, emails, date of birth --

15 ALJ STECURA: Okay.

16 MR. FAVILUKIS: -- from anybody including the  
17 tenants, if there are any. I believe there might be phone  
18 numbers for the tenants.

19 MS. JOSEPH: Okay. Judge, we -- I've been  
20 practicing at OATH for over 20 years. If I understand the  
21 court caution and I accept that to redact Social Security  
22 numbers and date of birth, but the evidence goes in with the  
23 telephone numbers and such. I don't think this is going to  
24 be --

25 ALJ STECURA: I don't know why we're arguing about

1 this right now.

2 MS. JOSEPH: Yeah. I don't -- I don't know either.  
3 I will --

4 ALJ STECURA: Just redact all personal identifying  
5 information, please.

6 MS. JOSEPH: All right. Thank you, Judge. Okay.

7 Q: So the question was --

8 MR. FAVILUKIS: I -- I -- I'm sorry. Are you still  
9 moving to introduce into evidence an unredacted document?

10 MS. JOSEPH: It's in evidence already.

11 MR. FAVILUKIS: It's in evidence already? Okay.

12 ALJ STECURA: It's already in evidence.

13 MS. JOSEPH: And it has been -- has been in  
14 evidence on consent.

15 MR. FAVILUKIS: I understand.

16 MS. JOSEPH: Okay.

17 ALJ STECURA: And you had the opportunity --

18 MR. FAVILUKIS: I understand.

19 ALJ STECURA: -- to review it.

20 MR. FAVILUKIS: I understand. I -- I missed it,  
21 Your Honor.

22 Q: Okay. So the question is not with regard -- the  
23 question was to your -- to your certificate of harassment  
24 application you attached the plans you filed with DOB showing the  
25 planned restoration of kitchen shower and the toilet, right? Do

1 you see the plans attached?

2 A: I -- I was told not open it.

3 ALJ STECURA: Which -- you're supposed to direct  
4 him.

5 MS. JOSEPH: Oh, I'm sorry.

6 ALJ STECURA: Where do you want him to look?

7 Q: Okay. Could you look at the end of the application?

8 A: How do you define end of the application?

9 Q: I mean, the last -- last couple pages that's attached to  
10 the application. And I'll direct -- I'll direct you exactly. So  
11 I'm referring to the -- actually the very last page and it says,  
12 "Ex -- existing four floor -- 4th floor plan," do you see that?  
13 I'll wait for you. It's the last page, Mr. Geylik. You don't  
14 have to flip through the whole application. So you -- do you see  
15 the existing -- it showing existing storage and -- existing  
16 storage and -- and the proposed it shows new kitchen and it  
17 showing a bathroom and a toilet, do you see that?

18 A: Yes, I see that.

19 Q: Okay, Good. Okay. So I'll ask you the question again.  
20 To your application you attached plans showing the planned  
21 restoration of kitchen shower and toilet?

22 A: While I signed the application, it was not prepared by  
23 me. So --

24 Q: Okay. That wasn't the question.

25 A: The -- no. You said that application that you filed.

1 Q: What?

2 A: So the application was filed but it was not prepared by  
3 me. But nonetheless, I will answer your question, so what's the  
4 question?

5 Q: Is this -- sorry.

6 ALJ STECURA: So, Mr. Geylik?

7 MR. GEYLIK: Yeah.

8 ALJ STECURA: I'm going to direct you to answer  
9 questions, not to provide commentary.

10 MR. GEYLIK: Sure.

11 ALJ STECURA: Answer the question, please.

12 A: Would you please repeat the question?

13 Q: I'll withdraw that. I'll ask another question. Is this  
14 document, in front of you, is this your application for  
15 certificate of no harassment?

16 A: This is an application for 109, yes.

17 Q: Okay. All right. And I just asked the last page,  
18 doesn't that page show the proposed restoration of the kitchen,  
19 shower and toilet on the 4th floor?

20 A: It does not say restoration, it says proposed.

21 Q: Right. It -- so proposed -- you -- this page showing a  
22 proposed kitchen and toilet and shower on the 4th floor; isn't  
23 that right?

24 A: Correct.

25 Q: All right. Thank you.

1 A: It doesn't -- it doesn't have word restoration.

2 Q: That -- that's enough.

3 ALJ STECURA: You've -- you've answered the  
4 question.

5 Q: Now, if you look at page, other than the exhibit page  
6 and the recertification, so after the first and second page, Mr.  
7 Geylik, okay, do you see the first page of your applic -- of the  
8 application itself? Right. And it -- do you see that? And it  
9 says applicant, Michael Geylik. Do you see that?

10 MR. FAVILUKIS: The second page of the document.

11 MS. JOSEPH: It's actually the fifth.

12 MR. FAVILUKIS: Well, not counting on the exhibit  
13 page, right? Just, if you could tell him the page.

14 MS. JOSEPH: I just directed him --

15 MR. FAVILUKIS: Okay.

16 MS. JOSEPH: -- Mr. -- sir.

17 MR. GEYLIK: Number 4?

18 ALJ STECURA: Show him what you're looking at and  
19 see if he's looking at the same thing.

20 MS. JOSEPH: Okay. On the --

21 ALJ STECURA: You may approach the witness and make  
22 sure you're looking at the same thing.

23 MS. JOSEPH: Just one second, Judge.

24 ALJ STECURA: Okay.

25 MS. JOSEPH: On the bottom for the applic -- for

1 the -- for the record, it says number 3. Let me just -- one  
2 more page.

3 Q: It says -- this says 2, that says 3, right?

4 A: Okay.

5 Q: Oh, there we go. So as the reason for your application,  
6 you stated that applicant intends to perform minor interior  
7 renovation, including partition work in the vacant unit on the 4th  
8 floor, and on -- you see on the bottom, a, under a, it's -- the  
9 question is, have any application for permits been filed with  
10 Department of Buildings for the work at the property? And the  
11 answer is yes. Yes, is marked; is that right?

12 ALJ STECURA: That's not entirely what the sentence  
13 says, Ms. Joseph.

14 MS. JOSEPH: Right. I -- I'll read the full  
15 sentence. "Have any applications for permits been filed with  
16 the Department of Buildings for work at the property, which -  
17 - which would require a certificate of no harassment?" You  
18 see that?

19 A: Yes.

20 Q: And the word next to the square -- next to the word  
21 check -- yes is checked, right?

22 A: Yes.

23 Q: Okay. But you just testified you never filed for  
24 permit, so that's not true, right?

25 A: No. Ms. Joseph, you are incorrect. In order to obtain

1 a permit, you first have to file the plan. The plan has to be  
2 reviewed and approved by the Building Department only then you can  
3 obtain the permit. Please answer the proper questions. You work  
4 for the city Agency --

5 ALJ STECURA: Mr. Geylik, you need to control your  
6 emotions, please, sir.

7 MR. GEYLIK: I just don't like to -- when --

8 ALJ STECURA: Mr. Geylik, it's not your time to  
9 editorialize. Please ask a clarifying question, Joseph.

10 MS. JOSEPH: I will, Judge. Just one second.

11 Q: So in the page number 3 we just looked at, that asks --  
12 I don't want to repeat the whole question, but it asks if any  
13 applications for permit has been filed with Department of  
14 Building, the answer was, yes; is that right?

15 A: This is what it says here.

16 Q: Is that what we're looking at here?

17 A: Yes.

18 Q: Yes. Okay. Okay. And you previously testified that  
19 for this particular plan that you -- to -- to restore the bathroom  
20 on the 4th floor --

21 MR. FAVILUKIS: Objection, Your Honor.

22 Q: -- you -- you didn't --

23 MR. FAVILUKIS: He clarified --

24 MS. JOSEPH: I didn't finish --

25 ALJ STECURA: And she has not -- she has not

1 finished her question.

2 Q: My -- my question was, I'm sorry. Your testimony was  
3 then you said yes that you did not file for permits for that work?

4 MR. FAVILUKIS: Objection, Your Honor. First, Ms.  
5 Joseph used the word, again, restore, which my client  
6 specifically testified was not on these plans. Corrected  
7 her, twice. Second, if my client does not understand the  
8 difference between filing for a permit and applying or -- and  
9 filing plans, then I think that's what should be clarified  
10 because the last answer sounded pretty clear to me that he  
11 said, first you have to file plans, then you have to apply  
12 for the permit.

13 MS. JOSEPH: That -- you know, it's a simple yes or  
14 no question, Judge. It's not about --

15 MR. FAVILUKIS: I don't think it's that simple. I  
16 think that you're using words specifically to confuse --

17 MS. JOSEPH: I am --

18 ALJ STECURA: Stop. So I will ask you not to use  
19 the word restore.

20 MS. JOSEPH: Okay.

21 ALJ STECURA: And, again, I'm going to ask you to  
22 ask a clarifying question so we have clarity on this subject,  
23 please. If not, Mr. Favilukis, you have the opportunity to  
24 rebut.

25 MR. FAVILUKIS: Understood. Thank you, Your Honor.

1 ALJ STECURA: Thank you.

2 Q: Okay. When you filed this application for -- to obtain  
3 a certificate of no harassment, at that time, which I guess the  
4 time is here, I'll refer you to that page. It says August 16,  
5 2023. That's the front page of the application. At that point in  
6 time, you did not file any permits for the work described in the  
7 plans we just saw, right?

8 MR. FAVILUKIS: Objection, Your Honor.

9 ALJ STECURA: Overruled.

10 MR. FAVILUKIS: Same objection.

11 ALJ STECURA: Overruled.

12 MR. FAVILUKIS: Okay.

13 ALJ STECURA: Please answer the question.

14 A: Could you please reiterate the question where it has a  
15 proper chronological --

16 ALJ STECURA: No, no, no. You can ask her to  
17 repeat the question. Ms. Joseph. You may ask Ms. Joseph  
18 please repeat the question.

19 A: Ms. Joseph, could you please repeat the question?

20 Q: I'll do my best. At the time you filed this  
21 application, which on the front of it it says August 16, 2023,  
22 with HPD for certificate of no harassment, you did not file for a  
23 permit for the work described in the plans that we just looked at;  
24 isn't that right.

25 A: Could you please repeat the question?

1 MS. JOSEPH: Judge, I -- I don't understand. I  
2 asked a simple question.

3 Q: At the time you filed this UNH application on August 16,  
4 2023, you did not file for a permit with DOB for the work that you  
5 have attached the plans for, that we just looked at.

6 A: Understood, somewhat. So in order to --

7 ALJ STECURA: No --

8 Q: It's a yes or no --

9 ALJ STECURA: -- it's a yes or no question.

10 MS. JOSEPH: Thank you.

11 MR. FAVILUKIS: Or I don't know.

12 A: I don't know.

13 Q: You don't know if you --

14 ALJ STECURA: You -- you're assisting --

15 [CROSSTALK]

16 MR. FAVILUKIS: I apologize, Your Honor, but he's -

17 -

18 MS. JOSEPH: He -- he's testifying.

19 MR. FAVILUKIS: He's asked three times to repeat  
20 the question --

21 MS. JOSEPH: That's not --

22 MR. FAVILUKIS: -- and he's -- I think he is --

23 ALJ STECURA: And --

24 MR. FAVILUKIS: I understand.

25 ALJ STECURA: And I'll take from that what I will.

1 MR. FAVILUKIS: I understand.

2 ALJ STECURA: But you -- that was not appropriate.

3 MR. FAVILUKIS: I -- I apologize, Your Honor.

4 ALJ STECURA: Please go on, Ms. Joseph.

5 MS. JOSEPH: Thank you. Okay.

6 Q: So your answer was that you don't know whether you filed  
7 for a permit on August 16th, 2023 --

8 A: Correct.

9 Q: -- for the work that's described in the plans?

10 A: For the proposed work, correct.

11 Q: For the work that's described in the plans that you  
12 attached to your application?

13 A: Correct.

14 Q: You don't know. So you --

15 ALJ STECURA: He's already asked -- answered the  
16 question.

17 MS. JOSEPH: Yeah. Okay.

18 Q: And you have attested on the last page of the  
19 application before the plans, right, there's a last page and it's  
20 -- it's -- the page next to it. You have attested that the  
21 information in this application, the contents are true and  
22 complete, right, you signed under a notary for that statement,  
23 right?

24 A: I believe so.

25 MS. JOSEPH: Okay. I don't know how to put this,

1 just maybe turn it over. Take a little of this and turn it  
2 over maybe we'll have to do it again. I'm sorry, Your Honor.  
3 Okay.

4 Q: You testified that after you filed the plans, you were  
5 told that you needed a certificate of no harassment. Do you  
6 recall that?

7 A: I believe that I testified that in order to do the  
8 proposed work, I will need a certificate of no harassment once the  
9 plan is approved and before I'm able to obtain the permit.

10 MS. JOSEPH: Okay. So let's see here.

11 ALJ STECURA: Should he put the exhibit to the  
12 side?

13 MS. JOSEPH: Just one second. No, not yet, Your  
14 Honor. There's one more date on it.

15 Q: So I have the transcript and on page 865, for the  
16 record, the question was, "And did you apply to the DOB for a  
17 permit to do the work?"

18 MR. FAVILUKIS: Whose question?

19 MS. JOSEPH: Your question.

20 MR. FAVILUKIS: I see.

21 Q: And the answer is no, we -- "No, we submitted or pre-  
22 filed the plans to do the work but I was told that we will require  
23 -- we will be required -- to do this we will require to obtain a  
24 certificate of no harassment from HPD."

25 A: Correct.

1 Q: Okay. So that was your testimony.

2 A: Now you're correct. Yeah.

3 Q: Okay. Now if you look at the plans that are attached,  
4 again, that we saw a minute ago, those plans are dated November  
5 1st, 2022. It's very little littering on the bottom right-hand  
6 corner. Do you see that?

7 A: Yes.

8 MS. JOSEPH: So --

9 ALJ STECURA: Could you turn that phone off?

10 MR. GEYLIK: Yeah. Sorry, it's my phone off. Is  
11 it okay if I go there?

12 ALJ STECURA: No, you cannot.

13 MR. FAVILUKIS: I got it.

14 ALJ STECURA: Thank you.

15 MS. JOSEPH: Okay.

16 Q: So given that these plans are dated November 1st, 2022,  
17 you didn't file for certificate of no harassment until nine months  
18 later, right, on August 16, '23, right, the date is on the  
19 application?

20 A: I'm sorry?

21 Q: Do you need me to repeat the question?

22 A: Yes, please.

23 Q: Okay. The date on your plans that you have attached to  
24 the certificate of no harassment is November 1st, 2022. But you  
25 didn't file for certificate of no harassment until August 16, '23,

1 9 months later?

2 MR. FAVILUKIS: Objection, Your Honor. What's the  
3 relevance of the different date? I just want to state my  
4 objection.

5 MS. JOSEPH: Okay.

6 ALJ STECURA: Sustain -- overruled.

7 MR. FAVILUKIS: Thank you, Your Honor.

8 ALJ STECURA: Pardon me, overruled.

9 MS. JOSEPH: Okay.

10 Q: Isn't that right?

11 A: Okay. So the date on this page is November, but I don't  
12 know when the architect actually signed this.

13 Q: That's not the question. The question was the date on  
14 these plans; you attached this plan to HPD's application, you put  
15 that before --

16 A: So --

17 Q: -- the Agency, right, when you filed your application,  
18 am I right?

19 A: This is correct. I do not control the date --

20 Q: I didn't ask --

21 A: -- that was put in by an architect. I don't know if  
22 this date is --

23 Q: I didn't ask you, Mr. Geylik, if you control the date.  
24 I just said this is the date, it's the tell -- it speaks for  
25 itself. That's what the document says, November 1st, '22. The

1 question was, you did not file for certificate of no harassment  
2 until August, 16, '23; isn't that right?

3 A: Once again -- so can you repeat the question?

4 Q: From the date that's listed on the plans, which what I'm  
5 looking at --

6 A: Yes.

7 Q: -- is November 1st, '22 until the date that you filed  
8 this application, was August 16, '23. That was about nine months  
9 later, right?

10 A: I confirmed the date --

11 MR. FAVILUKIS: Objection, Your Honor. Number 1,  
12 what is the question? Number 2, the dates on the documents  
13 speak for themselves. The plans are dated one date; the  
14 application is dated another date. What's the question?

15 ALJ STECURA: Stop yelling.

16 MR. FAVILUKIS: Sorry, I didn't realize I was.

17 ALJ STECURA: You're overruled. I've already  
18 overruled the same objection on the same question. We've  
19 wasted; I don't know how much time on this one question. Ms.  
20 Joseph, please ask the question again. Mr. Geylik, please  
21 answer the question.

22 MR. GEYLIK: I confirmed the date, November and  
23 August. Yeah. If that was the question, if I understood it  
24 correctly.

25 Q: The question was from the date on these plans until you

1 filed your application, it was nine months later, right?

2 A: Wrong. I confirmed the dates on the documents. That's  
3 all I can con -- confirm. I don't know.

4 ALJ STECURA: Please stop. Please -- you --

5 MS. JOSEPH: I'll move on.

6 ALJ STECURA: Yes, thank you.

7 MS. JOSEPH: You're welcome.

8 Q: At the time that you finally filed the CNH application,  
9 August 16th, 2023, the tenants in your building were deprived of  
10 the use of the 4th floor -- floor, kitchen, shower, and toilet in  
11 the -- during the interim nine months; is that right?

12 MR. FAVILUKIS: Objection, Your Honor, leading.

13 MS. JOSEPH: It's -- it's cross examination.

14 ALJ STECURA: It's cross examination.

15 MR. FAVILUKIS: I apologize, she's making a  
16 statement for the question.

17 MS. JOSEPH: It's cross examination. It's --

18 ALJ STECURA: Overruled.

19 A: I don't know if this is accurate because the certificate  
20 of occupancy was obtained in -- I believe in 2023 and I was forced  
21 by the Building Department to remove the illegally installed gas  
22 connections and water supply sometime in 2022. I -- I -- I cannot  
23 confirm to your dates because the question that you asked, they  
24 are not consistent with everything that was happening in the  
25 building.

1 MS. JOSEPH: Okay. I move to strike, Your Honor,  
2 it's not responsive to my question.

3 ALJ STECURA: Yes. Yes.

4 MS. JOSEPH: Thank you, Your Honor.

5 Q: So the kitchen, toilet and shower on the 4th floor,  
6 regardless of the reason they were removed around November, 2024,  
7 right -- I mean, sorry, they were removed about November, 2022 or  
8 October, no -- October or November, 2022, right?

9 ALJ STECURA: Can you rephrase the question?

10 MS. JOSEPH: Okay.

11 ALJ STECURA: Thank you.

12 Q: With regard to the 4th floor toilet, shower and kitchen,  
13 those facilities were removed around No -- October or November,  
14 2022, right?

15 A: I believe that is correct.

16 Q: Are you -- are you in the building -- how often are you  
17 in the building, Mr. Geylik?

18 A: I'm in the building every day.

19 Q: Okay. So you are aware what work you are doing in the  
20 building?

21 A: What work I'm doing in the building?

22 Q: Not yourself, you are ordering to be done. Are you  
23 aware of what work you are contracting to be done in the building;  
24 do you have knowledge of that?

25 A: I believe so.

1 Q: Okay. So if the -- you just answered that the toilet,  
2 shower and kitchen were removed around October, November, 2022,  
3 but by the time you filed the CNH application, the tenants in your  
4 building did not have access to those facilities for about nine  
5 months?

6 A: This is not correct.

7 Q: Okay. I'll rephrase the question. From October or  
8 November 20 --

9 ALJ STECURA: He answered your question.

10 MS. JOSEPH: Okay. This is not correct, so I'll  
11 answer -- I'll ask it differently.

12 Q: From November or October, 2022 after the facilities on  
13 the 4th floor were removed, were -- did the tenants in your  
14 building could access the -- could have access to the kitchen or  
15 the toilet or the shower on the 4th floor?

16 MR. FAVILUKIS: Objection, Your Honor. The inquiry  
17 period for this proceeding began on March 4th, and we've  
18 allowed leniently numerous questions that predate the inquiry  
19 period for quite some time now.

20 ALJ STECURA: Okay. I'm going to ask you to move  
21 on.

22 MS. JOSEPH: Okay.

23 Q: Once you -- once you learned that the certificate of no  
24 harassment was granted on March 4th, 2024 and you obtained it, I  
25 believe you testified on March 13th, 2024, you still didn't file

1 for permits for DOB at that point, right?

2 MR. FAVILUKIS: Objection, Your Honor. I don't  
3 believe that my client testified that he learned that the  
4 certificate of no harassment was granted on March 4th.

5 MS. JOSEPH: Okay. I -- my question was obtained -  
6 - and obtained on March 13th, 2024.

7 Q: At that point, you didn't file for a permit with DOB,  
8 right?

9 MR. FAVILUKIS: Objection, Your Honor. I do not  
10 believe that the certificate of no harassment was actually  
11 granted on March 4th, 2024. I believe that approval by the  
12 city -- by HPD may have been in -- internal by March 4th.  
13 But I do not believe that my client received a certificate of  
14 harassment --

15 MS. JOSEPH: Okay. So --

16 MR. FAVILUKIS: -- until several weeks later.

17 MS. JOSEPH: Okay.

18 ALJ STECURA: Can you rephrase your question, Ms.  
19 Joseph?

20 MS. JOSEPH: Right.

21 ALJ STECURA: Thank you.

22 Q: You testified about when you received -- when you  
23 obtained the certificate of no harassment. Do you recall that?

24 A: I guess so.

25 Q: Excuse me?

1 A: I guess so.

2 Q: You guess so. You actually testified that you received  
3 it on March 13th, 2024?

4 A: Correct.

5 MS. JOSEPH: Okay, very good.

6 MR. FAVILUKIS: Apologies.

7 MS. JOSEPH: So --

8 MR. FAVILUKIS: Because before --

9 MS. JOSEPH: Okay. That's fine.

10 MR. FAVILUKIS: I just want to make sure -- okay.

11 MS. JOSEPH: Jesus.

12 ALJ STECURA: Stop. Stop, Mr. Favilukis.

13 Q: So on March 13th, 2024 when you actually had a  
14 certificate of no harassment in your hand, you did not file for  
15 permit with DOB, right, yes or no?

16 MR. FAVILUKIS: Objection, Your Honor. I don't  
17 believe that he testif --

18 ALJ STECURA: Overruled.

19 MR. FAVILUKIS: Thank you, Your Honor.

20 A: I did not file for permit.

21 Q: Thank you.

22 A: It's impossible to file for the permit the same day, the  
23 plan has to be approved first. I spoke to my architect --

24 MS. JOSEPH: I move to strike anything after I did  
25 not file for permit.

1 MR. GEYLIK: Because the question that you asked  
2 there is misleading.

3 MR. FAVILUKIS: Stop, stop.

4 ALJ STECURA: Stop, stop. You have an attorney  
5 here. He has the opportunity later to ask rebuttal questions  
6 if he thinks he should. For now, your only job is to answer  
7 Ms. Joseph's questions. If your attorney objects, you can  
8 wait to answer. If not, you should answer the question, but  
9 only the question that's before you.

10 MS. JOSEPH: I will move on, Judge.

11 Q: So you testified that you wanted to amend the  
12 certificate of occupancy so you can have an office on the 1st  
13 floor, right? Excuse me.

14 A: This is outside of the inquiry period.

15 MR. FAVILUKIS: No, Michael.

16 MS. JOSEPH: Is that an objection, Your Honor?

17 ALJ STECURA: I'm --

18 MR. FAVILUKIS: I object, Your Honor. It's outside  
19 of the inquiry period.

20 ALJ STECURA: Overruled. And, Mr. Geylik, could  
21 you step out, please?

22 [OFF THE RECORD]

23 [ON THE RECORD]

24 Q: So you testified on the direct that you wanted to amend  
25 the certificate of occupancy so you can have an office on the 1st

1 floor, right?

2 A: Correct.

3 Q: Okay. And -- and you testified that you had correct --  
4 to correct all violations for the 3rd and 4th floors in order to  
5 amend the certificate of occupancy?

6 A: To obtain a new certificate of occupancy, correct.

7 Q: Right. To amend -- to obtain a new certificate of  
8 occupancy so you can have an office on the 1st floor, right?

9 A: Correct.

10 MS. JOSEPH: Okay. So I wanted to look at G4,  
11 which is Respondent's -- Respondent's exhibit, G4. And I  
12 have copies. Do I have three copies of everything, I don't  
13 understand. Do I need to provide the Court or Mr. Favilukis  
14 a copy?

15 MR. FAVILUKIS: If it's ours, we don't need it.

16 ALJ STECURA: I have a copy.

17 MS. JOSEPH: It is yours. Thank you.

18 ALJ STECURA: I have mine. Thank you.

19 MR. FAVILUKIS: Thank you.

20 MS. JOSEPH: Thank you, Judge. Okay. So that's  
21 helpful. Thank you, Mr. Favilukis. I'll keep it in mind.

22 Okay.

23 Q: So if we are looking at what I just handed you, Mr.  
24 Geylik.

25 A: Can I look at it?

1 Q: Yeah, you could look at it, please. Thank you. If you  
2 look at the, let's see, I think it's the fourth page. So 1, 2, 3,  
3 4. Just want to make sure. Yes, if you look at the fourth page,  
4 do you see it's a -- an ECB violation, right, Mr. Geylik?

5 A: Yeah, ends 37H as in Harry?

6 Q: Yes, ends in 37H. You're on that page?

7 A: I see that.

8 Q: Okay. And this violation was issued for, if you see  
9 where it says specific violation conditions and remedy, right, it  
10 says, "Work without a permit at 4th floor rear east side space  
11 completed; demolition of plaster, fireproofing and wood L-A-T-H-  
12 E." Do you see that?

13 A: Yes.

14 Q: Yes. And it says, "Work approximately 15 -- 50 percent  
15 complete. Remedy, stop all work, make area safe, obtain  
16 permits.", right?

17 A: Yeah.

18 Q: That's just not -- never mind. Now -- right. Now you  
19 test -- you certified this violation as corrected on December  
20 20th, 2022. Do you see that? Compliance on 12/20/22?

21 A: Yes.

22 Q: Okay. And this violation was for demolition of fire  
23 proofing and wood without a permit. The remedy called for stop  
24 all work make area safe, right, we just read that?

25 A: Yes.

1 Q: Okay. So the demolition of plaster, fireproofing, and  
2 wood, that work wasn't going on in 2022, right?

3 A: Could you please, if possible, read when the violation  
4 was issued?

5 Q: That's not -- that's not a -- a responsive answer. My  
6 question was the description that we just went through in this  
7 violation, demolition of fire -- plaster, fireproofing, and wood,  
8 that wasn't going on in 2022, right?

9 A: I don't know. I believe it wasn't, but I don't know  
10 where that particular location in the building.

11 Q: Okay.

12 A: It has to be probably --

13 Q: Okay. Let's -- let's read what it says, "At 4th floor,  
14 rear east side space," right?

15 A: Yeah.

16 Q: Do you see that? "Completed demolition of plaster,  
17 fireproofing, and wood."

18 A: Sure.

19 Q: So this violation was issued in 1999. In 2022, that  
20 work that's described there was not happening, right?

21 A: I don't think so.

22 Q: You don't think so?

23 A: Yeah.

24 Q: Good. That's the question. Thank you. So before you  
25 caused the shared toilet shower and shared kitchen to be removed,

1 there was no demolition going on, right, in the 4th floor?

2 A: Repeat the question, before?

3 Q: Before you -- before you -- I'm sorry, let me rephrase  
4 that. Before the shared toilet shower and shared kitchen was  
5 removed from the 4th floor, there was no other demolition going  
6 on?

7 A: I don't know.

8 Q: You just testified that there was no demolition or fire  
9 -- demolition of plaster, fireproofing and wood --

10 A: I can clarify why --

11 MS. STECURA: Okay. Stop. Yes.

12 MR. FAVILUKIS: Objection. That's not what he  
13 testified. He -- he initially said --

14 ALJ STECURA: Sustained.

15 MR. FAVILUKIS: Thank you, Your Honor.

16 MS. JOSEPH: Okay.

17 Q: Let me rephrase -- refer back to the description of the  
18 condition in the violation. In 20 -- December, 2022, work without  
19 a permit at 4th floor rear east side space demolition of pla --  
20 plaster, fireproofing wasn't complete -- wasn't 50 percent  
21 completed at that point, right?

22 A: Ms. Joseph, I have access to public areas. I believe  
23 the con -- violating condition referred in this violation is for  
24 the unit that's occupied by the tenant that I have no access to.  
25 That's why --

1 Q: Okay.

2 A: -- I don't know.

3 Q: Oh, okay. So you don't know if on the 4th floor of your  
4 building there was 50 percent demolition going on in 2022?

5 MR. FAVILUKIS: Objection, he just answered.

6 ALJ STECURA: Sustained.

7 MS. JOSEPH: Okay.

8 A: I have access --

9 ALJ STECURA: Sus -- you don't have to answer.

10 Q: So the 4th floor is where Judy Saban lives in 3C and  
11 Thomas Dukelith (phonetic) lives in 3D; is that right?

12 A: I believe so, yes.

13 Q: Okay. So your testimony was that in order to --

14 A: Actually, I would like to make a correction.

15 ALJ STECURA: Your attorney, if he wants to, he can  
16 clean it up on rebuttal.

17 MR. FAVILUKIS: Thank you, Your Honor.

18 ALJ STECURA: Thank you.

19 MS. JOSEPH: Okay.

20 Q: You testified that in order to correct this violation,  
21 you -- you had to remove those facilities; the kitchen, bathroom,  
22 and shower?

23 MR. FAVILUKIS: Objection, Your Honor. I don't  
24 believe that he testified to that.

25 ALJ STECURA: Are you pointing to testimony in his

1 direct testimony?

2 MS. JOSEPH: Yes. I'm referring to his testimony  
3 that he -- he needed to satisfy or co -- resolve this  
4 violation --

5 ALJ STECURA: Do you have a page citation?

6 MS. JOSEPH: I'm going to try to find it. Let me  
7 see. I'm going to try it. Okay. So on page 858 -- okay,  
8 I'm sorry. Page 8 -- 857, question is, "If you could flip to  
9 page 4, which is the page we are on, this is the violation  
10 ending in 37H?" Answer, "Yes". "And when was this issued?"  
11 "This one was issued in 1999." "And what -- and what was  
12 this -- what was the violation -- the violating condition for  
13 this one?". Answer, "Work without a permit noted on the 4th  
14 floor rear east side space, complete demolition of plaster,  
15 fireproofing and wood lathe plate. Work approximately 50  
16 percent complete. Remedy, stop all work, make area safe,  
17 obtain all permits." "And was this violation certified as  
18 corrected by you?" "Yes." "And when was that -- when was  
19 that done?" "That was December, 2022."

20 MR. FAVILUKIS: But that has nothing --

21 ALJ STECURA: Do you have a question?

22 MS. JOSEPH: Yes.

23 Q: So my question was -- my question was the -- the removal  
24 of the facilities on the 4th floor; the kitchen, the shower, and  
25 the bathroom, was that done in response to this violation?

1           A:    No, it was done in response to a different violation.  
2    The work without a permit and hazardous gas connection.

3           Q:    No, but I'm asking about the 4th floor.  So the facility  
4    -- the fac --

5                   MR. FAVILUKIS:  Objection.

6                   ALJ STECURA:  Yeah.  So I'm going to preemptively  
7    sustain that objection.  Asked and answered.

8                   MS. JOSEPH:  Okay.

9           Q:    The -- what was the work that you did on the 4th floor -  
10   - I withdraw that.  What was the reason that you removed the --  
11   the shower, bathroom and toilet on the 4th floor?

12           A:    So what was the reason?  There were two work without a  
13   permit violations issued by the Building Department in 1998 and  
14   1999 for work without a permit and one violation specifically  
15   referred to an illegal plumbing.  Another violation was quoted as  
16   hazardous violation, bringing up gas connection or gas pipe from  
17   the basement through the hallway to the kitchen, lessening the  
18   units from four to three.  And that work without a permit  
19   violation had to be corrected by certifying the certificate of  
20   correction.  In order for me to do that, I had to file two  
21   separate limited alteration applications utilizing the licensed  
22   master plumber who filed LAA jobs, limited alteration  
23   applications, for both the violations and legally removed the  
24   piping.  And once the piping was removed, the violating conditions  
25   are actually quoted in those LAA applications.

1 Q: Okay.

2 A: And using those and licensed master plumber, the  
3 certificate of correction was prepared and filed and approved by  
4 the Building Department. And the reason why I'm confused about  
5 the 4th floor, the violation that you had questioned before is  
6 because this building has confusing numeration of the floors. So  
7 the 4th floor referred in the original violation might be in  
8 actuality the 5th floor, not the 4th floor. So that's why I --

9 MS. JOSEPH: Judge. Judge, I mean --

10 ALJ STECURA: Okay. So thank you --

11 MS. JOSEPH: -- when he's saying might --

12 ALJ STECURA: Thank you, Mr. Geylik. Next  
13 question, Ms. Joseph.

14 MS. JOSEPH: Next question.

15 Q: So when you are referring to when you -- when you are  
16 referring to work without a permit, reducing the number of --  
17 lessening the number of units to three, are you referring to the  
18 violation if you flip over to the -- on the next page?

19 A: 61J.

20 Q: Right.

21 A: Yes.

22 Q: Is that what you're referring to?

23 A: Yes.

24 Q: And you -- you removed the toilet from this floor?

25 A: We removed or licensed master plumber removed illegal

1 plumbing connections.

2 Q: Okay. Was there a toilet -- a usable toilet on this  
3 floor?

4 A: There was a toilet. I don't know if it was usable, but  
5 there were illegal plumbing connections. That's what I know.

6 Q: Right. Okay. We've seen pictures of a toilet that was  
7 visibly a toilet on that floor, and thereafter it was removed and  
8 it was like turned into a wooden bench. You recall that? Let me  
9 withdraw that. On that floor, there's no longer a toilet  
10 available; is that right?

11 MR. FAVILUKIS: Objection, Your Honor. Which  
12 floor?

13 MS. JOSEPH: The 3rd floor. I'm talking about this  
14 violation, 61J.

15 Q: There's no longer a toilet available, right?

16 A: No.

17 Q: Okay. And on the floor above it, right, there's no  
18 longer a kitchen, a shower, and a toilet available, right?

19 A: Not correct. The floor above it is the 5th floor, there  
20 is a bathroom available.

21 Q: Okay. Well, I'm -- I'm looking at the -- the language  
22 in the violation itself. You -- you --

23 A: The 3rd level residential, not the -- the story.

24 Q: Mr. -- Mr. Geylik, I am reading from a certified  
25 document your counsel provided, and I'm reading from the language

1 and it tells me the one we looked at, 61J, it talks about the 3rd  
2 level and it talks about lessening the units to three. And the  
3 one we looked at before, 37H, it talks about the 4th floor, is  
4 that correct? Is that what your documents show as well?

5 A: So 3rd level residential.

6 Q: It doesn't say the word residential, does it?

7 A: But in actuality --

8 Q: Okay.

9 A: -- I -- I know the building more than -- better than  
10 anyone else --

11 [CROSSTALK]

12 MS. JOSEPH: Okay. I object to --

13 ALJ STECURA: So what I'm going to ask, Ms. Joseph,  
14 in your questions, can you make sure that Mr. Geylik is  
15 understanding that -- what floor you're referring to? He has  
16 the same understanding.

17 MS. JOSEPH: Okay.

18 ALJ STECURA: Thank you.

19 MS. JOSEPH: And in order to correct this viol --  
20 in order to, not correct, but comply this violation, right,  
21 both the one we looked at, it's 37 -- I'm sorry, 60 -- 637H  
22 and 761J, we just looked at -- actually, I withdraw that.  
23 Going back to the one that 60 -- 637H, the one that's noted  
24 at 4th floor rear east, demolition of plaster, fireproofing.

25 MR. FAVILUKIS: What page is that?

1 MS. JOSEPH: I think it's 4. I think it's the  
2 fourth page. It's the one that ends at 637H we just looked  
3 at.

4 Q: In -- you didn't -- at that point in December, 2022, you  
5 didn't challenge the fact that there's no fire proofing -- the --  
6 that the -- the fire proofing demolition violation was issued in  
7 error because there's no -- this building is not required to have  
8 fire proofing, right, you didn't do that, right?

9 A: I don't understand your question.

10 Q: You have complied this violation December, 2022, right,  
11 is that what's the date on it, right?

12 A: Ms. Joseph, by complying with the -- this particular  
13 certificate of correction with the assistance of the Building  
14 Department during the homeowner's night, and one of the plan  
15 examiners, it was identified that this specific violation was  
16 issued for the top floor of the building for which --

17 Q: Okay. I -- I --

18 A: -- there was a job signed off confirming that the work  
19 was done --

20 ALJ STECURA: Okay. Please, Mr. Geylik, stop.

21 MS. JOSEPH: Okay.

22 Q: I'm directing you --

23 ALJ STECURA: Please rephrase your question.

24 Q: -- to the exhibits in front of us. I'm directing you to  
25 the record. I'm not asking you about any -- anything that's not

1 in the record that we haven't got admitted into evidence. And so  
2 as -- as -- as the -- the Court suggested, there's a roof over  
3 your building and underneath that roof is the 5th floor, and then  
4 there's a 4th floor, a 3rd floor, a 2nd floor, and a 1st floor,  
5 right?

6 A: All right.

7 Q: Is that yes?

8 A: Yeah, 5, 4, 3, 2, 1.

9 Q: Yes, that's yes.

10 A: Yeah.

11 Q: Right, right. My question was, in order to comply this  
12 violation, 637H, you didn't make an argument to Department of  
13 Building that there's no -- that the demolition -- the violation  
14 for demolition of -- of plaster, fireproofing was issued in error  
15 because your building does not require to have fire proofing. You  
16 didn't do that, right?

17 A: Incorrect. There was a job that was filed by the  
18 previous landlord --

19 Q: No, I'm asking what you have done. What have you done  
20 in order to comply this violation?

21 A: Sure. Okay. Very good.

22 Q: Have you argued or challenged, I should say?

23 A: I'll let you know what I did.

24 ALJ STECURA: Stop.

25 Q: Have -- have you challenged --

1 ALJ STECURA: Wait.

2 MS. JOSEPH: I'm sorry.

3 ALJ STECURA: Ms. Joseph is going to ask questions.  
4 If you disagree with what she says, say that's not -- I'm not  
5 telling you how to testify, but just answer her question,  
6 just the question at hand.

7 MR. GEYLIK: Sure.

8 ALJ STECURA: Thank you.

9 MR. GEYLIK: I will do my best. It's just the  
10 questions are --

11 ALJ STECURA: Stop.

12 MR. GEYLIK: Ms. Jo -- I will answer --

13 ALJ STECURA: Ms. Jos -- stop. Stop.

14 MR. FAVILUKIS: Michael, just listen to the  
15 questions and answer them.

16 MR. GEYLIK: Okay.

17 ALJ STECURA: Okay. Ms. Joseph, please ask your  
18 question.

19 MS. JOSEPH: Thank you.

20 Q: In order to comply this violation that ends in 637H, you  
21 didn't challenge the -- the -- to say that this was issued in  
22 error because as far as the demolition of plaster, fireproofing,  
23 because the building is not required to have fireproofing, right?

24 A: I'll answer the question; in order to correct this  
25 violating condition, I identified the job within the Building

1 Department based system that specifically was filed, permitted,  
2 approved, and signed off to correct this violation. But the prior  
3 owner, while the work was done, did not file the certificate of --  
4 of correction. So what I did, I put two and two together, and --  
5 that was already done by a prior ownership. I filed the paperwork  
6 confirming that whatever is quoted in this violation was addressed  
7 in one of the Building Department applications.

8 Q: Okay. You testified that you couldn't amend or change  
9 the certificate of occupancy so you can have an office on the 1st  
10 floor because you had violations open at DOB that you had to  
11 clear. Am I right?

12 A: You are correct. In order to receive --

13 Q: Okay. That's -- that's -- that's all I need. Okay.  
14 And I'm asking you, specifically for this violation, you didn't  
15 challenge; you didn't put any challenge written or oral or any  
16 other way to say that your building does not require fireproofing?

17 A: I didn't have to do that because it was already done.

18 Q: Did -- did you or did you not do it?

19 A: I didn't do it.

20 Q: You didn't do it, thank you.

21 A: I answered clearly --

22 [CROSSTALK]

23 Q: Thank you. Okay. Now, I'll refer you back to when DOB  
24 issued violations for illegal removal of fire stopping on the 2nd,  
25 3rd, and 4th floor. You had your architect write a letter to DOB

1 to say that the violation was issued in error, right?

2 A: Correct.

3 Q: Correct. And the building does not require any fire  
4 stopping material, right?

5 A: The building is classified as a class 3 non-fire proof  
6 structure that does not contain fire resistant material in the  
7 units.

8 Q: Okay.

9 A: The staircase is designed to contain the fire and  
10 outside masonry walls.

11 Q: Right.

12 A: The -- whatever is installed in the building, because  
13 it's sprinkled, no, it's not required to have a sheet truck. You  
14 can have exposed beams and the floors could be exposed. There is  
15 no fire rated requirement or fire-resistant material in a class 3  
16 non-fireproof structures. This is correct.

17 Q: Okay.

18 A: And --

19 MS. JOSEPH: Thank you.

20 ALJ STECURA: So mi -- Ms. Joseph, I need you to  
21 get your questions back to the allegations in the petition.

22 MS. JOSEPH: Okay.

23 MR. FAVILUKIS: Thank you, Your Honor.

24 Q: So you -- we've heard testimony that when you -- when  
25 you had the facilities, the shared facilities on the 4th floor;

1 kitchen and shower and toilet, you told tenants that you had to  
2 have them removed because you had open violations, right, you  
3 heard that?

4 A: This is correct.

5 Q: Okay. Thank you.

6 A: You're welcome.

7 Q: And the same thing for the toilet on the 3rd floor, you  
8 had to have that removed because you had to -- you had open  
9 violations?

10 A: I do not recall about it.

11 Q: Okay.

12 A: Yeah.

13 MS. JOSEPH: Okay. Okay. Let me move on, Judge.

14 Q: You testified that Mr. Hall is referring -- Mr. Hall is  
15 referring to the repairs to the building when -- when you -- you --  
16 - when Zach wrote to you and I -- I -- I withdraw that. We have  
17 an exhibit which is titled O1. If you remember, there was an  
18 email for Mr. Zach Hall to you? If you don't remember that, I'll  
19 try to show --

20 A: Yeah, I don't remember. Could you please show --

21 MS. JOSEPH: You don't remember. Yeah, I'll see if  
22 I can show it to you. Do I have it here? I don't know if I  
23 have it. That's odd. Oh, here, it is. I do have it.

24 ALJ STECURA: Which exhibit are you referring to?

25 MS. JOSEPH: It's O1 and it's just the first page.

1 So --

2 MR. FAVILUKIS: O1 is the MDR.

3 MS. JOSEPH: Well -- well --

4 [CROSSTALK]

5 MR. FAVILUKIS: The O1 that I have is --

6 MS. JOSEPH: Look at this, this is your exhibit.

7 What would you say that is?

8 MR. FAVILUKIS: Oh, I apologize. I thought you  
9 were referring to your exhibits.

10 MS. JOSEPH: No, this is --

11 MR. FAVILUKIS: Okay. Yes.

12 MS. JOSEPH: My exhibits only numbered.

13 MR. FAVILUKIS: Respondent's O1.

14 MS. JOSEPH: Yes.

15 MR. FAVILUKIS: Got it.

16 ALJ STECURA: Letter O.

17 MS. JOSEPH: Yeah, I have -- I have a copy, Your  
18 Honor.

19 ALJ STECURA: Thank you

20 MR. FAVILUKIS: I don't need -- okay.

21 MS. JOSEPH: Okay --

22 MR. FAVILUKIS: Yeah, I don't need for our --

23 MS. JOSEPH: I'll give --

24 [CROSSTALK]

25 MR. FAVILUKIS: Yeah, thank you.

1 MS. JOSEPH: Okay.

2 [OFF MIC CONVERSATION]

3 Q: So if we look at this page that I put before you, you  
4 could look at it, it's in evidence. You were asked about this  
5 statement that Zach is making here. He says, "Hi, Mike. You  
6 mentioned last year that you are open to potentially selling the  
7 building. Is this still something you are open to be  
8 considering?". You testified that Mr. Hall was referring to the  
9 repairs to the building. Do you recall that?

10 A: Could you repeat the question?

11 Q: Okay, let me see here. Let me take a minute and -- and  
12 read it, if I could clarify it further.

13 A: The email states potentially selling the building.

14 ALJ STECURA: Mr. Geylik?

15 MR. GEYLIK: Yeah.

16 ALJ STECURA: Just wait for a question. Thank you.

17 MS. JOSEPH: Okay.

18 Q: So in this email, Zach is saying, "Hi, Mike." You see  
19 that, right?

20 A: Yeah.

21 Q: You see. Underneath he's saying, you -- you mentioned,  
22 meaning he's writing to you, last year that you were open to  
23 potentially sell -- selling the building, right, you see that?

24 A: Okay. Yeah.

25 Q: When you -- was -- well, you testified that what Mr.

1 Zach was referring to was the repairs to the building. Do you  
2 remember that?

3 MR. FAVILUKIS: Can you point this to the testimony  
4 there?

5 A: Yeah, I don't remember --

6 ALJ STECURA: Yes. Mr. Geylik.

7 MS. JOSEPH: I'm showing --

8 ALJ STECURA: I'm going to request that you  
9 specifically point to what the testimony was.

10 MS. JOSEPH: Yes, I'll try to find it. Page 94.  
11 Okay. So question on page 893. It says, "Hi, Mike. You  
12 mentioned that last year you were open to potentially selling  
13 the building."

14 MR. FAVILUKIS: Can you read the whole thing?

15 MS. JOSEPH: I'm -- I'm reading what is relevant to  
16 my question.

17 MR. FAVILUKIS: But --

18 ALJ STECURA: Stop. Just let her ask her question.

19 MS. JOSEPH: And on page 894, the question is, "Is  
20 still -- is this still something that you are open to  
21 considering both -- considering both last year and also in  
22 2021 --" I'm - I'm just paraphrasing. I could read the  
23 whole thing. I just --

24 MR. FAVILUKIS: Please read the whole thing.

25 MS. JOSEPH: I -- if -- if the Court would like me.

1 ALJ STECURA: Mr. Favilukis.

2 MR. FAVILUKIS: I apologize, Your Honor.

3 ALJ STECURA: So I'm going to ask that you read the  
4 relevant portions --

5 MS. JOSEPH: Right.

6 ALJ STECURA: -- and then ask a question.

7 MS. JOSEPH: Okay. So the continuous is, "Do you  
8 know what situation is Mr. Hall referring to?". The answer,  
9 "Perhaps the reports that are required?"

10 MR. FAVILUKIS: What -- what lines? I -- I'm  
11 reading -- I'm following --

12 MS. JOSEPH: Line 6 -- 894, line 6. And then eight  
13 -- line 10, actually, the Court asked, "So if you know. If  
14 you do not know, then say you do not know." Line 12, answer,  
15 "It has to do with the repairs to the building."

16 MR. FAVILUKIS: What does?

17 MS. JOSEPH: Well, I'm going back to 893 and the  
18 question was --

19 MR. FAVILUKIS: What line?

20 MS. JOSEPH: 22 and 23, you -- wait, I'm sorry.  
21 Let me see here. Okay. No, it's line 17.

22 MR. FAVILUKIS: On what page?

23 MS. JOSEPH: It says -- 893. It says, "Hi, Mike.  
24 You mentioned last year that you're open to potentially  
25 selling the building." So that's what it's written in

1 reference to.

2 Q: So my question is, going back to my question --

3 ALJ STECURA: Mr. Favilukis, please, no commentary.

4 Q: -- was the conversation about repairs to the building  
5 that Mr. Hall is referring to, right, in your -- in this email  
6 when he's saying, you mentioned last year that you are open to  
7 potentially selling the building. Was that conversation about --  
8 was -- took place with Thomas Dukelith and Zach in August 2024?

9 A: I do not --

10 MR. FAVILUKIS: Objection, Your Honor. None of  
11 that is in this testimony.

12 ALJ STECURA: Sustained.

13 MS. JOSEPH: I'm asking him a question.

14 ALJ STECURA: I -- I don't even understand the  
15 question.

16 Q: Okay. I'm asking, when you -- when you saying that Mr.  
17 Hall was referring to the repairs to the building, right, did you  
18 -- did you have a con -- didn't you have a conversation with Mr.  
19 Hall after DOB issued the violations about the repairs to the  
20 building?

21 A: There are many conversations that we had but I never  
22 discussed selling the building with Zach.

23 Q: Okay.

24 A: So I'm not sure how it --

25 Q: Okay. You had conversation with Zach about the -- at

1 around the time that DOB issued the violations to the building,  
2 right? It was about August 2024, okay? And you had a  
3 conversation with Zach about the conditions in the building, which  
4 relates --

5 MR. FAVILUKIS: I -- I object, Your Honor.

6 Q: -- which relates to those violations?

7 MR. FAVILUKIS: She -- she's testifying for the  
8 witness.

9 MS. JOSEPH: No, I'm asking a question.

10 ALJ STECURA: She's asking a question.

11 MR. FAVILUKIS: Okay.

12 A: So the -- could you repeat the question?

13 ALJ STECURA: And without Mr. Favilukis  
14 interrupting the question.

15 MS. JOSEPH: Okay.

16 ALJ STECURA: Ask the same question, please.

17 MS. JOSEPH: I'll try.

18 Q: Around the time the DOB issued the violation in and  
19 about August 2024, you had a conversation with Mr. Hall about the  
20 conditions that were referenced in those violations?

21 A: I'd spoken to all of the tenants regarding the  
22 conditions that were discovered by the building department.

23 Q: Okay. What about Mr. Hall? Is he --

24 A: All the tenants --

25 Q: He's one tenant. Did you have a conversation with him?

1           A:    We had con -- I had conversations with all the tenants,  
2 including Zach.  Yeah.

3           Q:    Including Zach.  You had a conversation with Mr. Thomas  
4 Dukelith?

5           A:    I said all the tenants.  So both of them are.  So I  
6 answered the question, I believe.  No?

7           Q:    Isn't it true that your conversation with Zach and  
8 Thomas about the repairs you mentioned that it's going to take you  
9 -- it -- it's going to cost you a lot of money with re -- with  
10 regard to the repairs necessary?

11          A:    I'm not sure if we discussed money.

12          Q:    Okay.  Isn't it true that you said that you may need to  
13 sell the building?

14          A:    I never --

15                MR. FAVILUKIS:  Your Honor, objection.  He answered  
16 that question earlier to Ms. Joseph, and -- and that question  
17 is addressed directly in the testimony.

18                MS. JOSEPH:  Okay.  Well, I'm asking him now.  I'm  
19 not --

20                MR. FAVILUKIS:  How many times will you ask him and  
21 for him to have to say he never spoke to Zach about selling  
22 the building?

23          Q:    Well, my question was during the time you spoke to Zach  
24 and Thomas, with regard to the repairs that were needed that are  
25 referenced in the DOB violation, isn't it true that you mentioned

1 that you may need to sell the building?

2 A: I do not recall any conversations with any of the  
3 tenants pertaining to selling the buildings. There's just --

4 ALJ STECURA: He answered the question.

5 MS. JOSEPH: Okay. That's fine. I was waiting for  
6 him to finish.

7 ALJ STECURA: Could you just put the exhibit to the  
8 side, sir? Unless you're asked to reference it. Thank you.

9 MS. JOSEPH: And actually, it's the same exhibit,  
10 Judge.

11 Q: When Zach is stating that it will be beneficial for  
12 everybody if you sell the building, you testified that you -- you  
13 understood everybody to mean yourself and the tenants; isn't that  
14 right?

15 MR. FAVILUKIS: Objection, Your Honor. Can you  
16 point to the testimony where he stated that?

17 MS. JOSEPH: I --

18 MR. FAVILUKIS: In the transcript?

19 MS. JOSEPH: Is that what the Court would like me  
20 to do?

21 ALJ STECURA: Yes, please.

22 MS. JOSEPH: I'll -- I'll try to find that. 889.  
23 Let's see. So it's -- okay. Okay. So it's 889. It's line  
24 15.

25 MR. FAVILUKIS: I'm sorry, what page? 889?

[12:48:47]

[04:04:29-1]

1 MS. JOSEPH: 889, ni -- line 15. "On a few  
2 occasions, Zach mentioned to me that it might be beneficial  
3 for everybody that if I sell the building, there will be more  
4 money for everybody." Something to that degree. Question,  
5 "What did you think he meant? Who did you think he meant by  
6 everybody?" Answer, "Me and the tenants."

7 MR. GEYLIK: Yeah.

8 Q: So your -- your -- your -- you testified that when Zach  
9 says it'll be beneficial to everybody, he meant for you, yourself  
10 and for the other tenants as well, right?

11 A: I believe so.

12 Q: Okay. So Zach wasn't just looking to enrich himself, he  
13 was looking out for everybody, including --

14 MR. FAVILUKIS: I apologize.

15 MS. JOSEPH: What was that?

16 ALJ STECURA: Mr. Favilukis --

17 MR. FAVILUKIS: I apologize. I apologize.

18 ALJ STECURA: -- this is so inappropriate.

19 MR. FAVILUKIS: I apologize.

20 ALJ STECURA: So inappropriate.

21 MR. FAVILUKIS: I apologize. I apologize.

22 Q: So Zach wasn't just looking to enrich himself; he was  
23 looking out for everybody, including you, right?

24 A: Not correct, because there were conversations were  
25 overheard in a hallway where Zach was mentioning with other

1 tenants how to potentially get more money from me. Including the  
2 statements that have to do with the fact that we need to make sure  
3 that Mike spends money on the building, so he would give us more  
4 eventually.

5 Q: Okay. I -- I --

6 A: So --

7 Q: I -- I am referring to the --

8 ALJ STECURA: Mr. Favilukis, can you comport  
9 yourself, please?

10 MR. FAVILUKIS: Yes, yes.

11 ALJ STECURA: It's very unprofessional.

12 MR. FAVILUKIS: Yes, yes.

13 Q: I'm referring to the statement in this, again, in this  
14 exhibit, and I also, I -- I am referring to testimony that was  
15 taken and evidence that was presented in the record. Nothing that  
16 was outside of that, okay? So I'm asking you about what's in  
17 evidence, so to speak, or in testimony. So, again, my question --

18 ALJ STECURA: But, Ms. -- Ms. Joseph, if -- if it's  
19 already been asked, there's no need to ask the same question.

20 MS. JOSEPH: Okay. Okay. I'll move on.

21 Q: You testified that you overheard Mr. Hall telling the  
22 plumber that the building was bad, and when he told the plumber,  
23 if Mike gives me a million dollars, I would leave. Remember that?

24 A: Yes.

25 Q: Okay.

1 A: That I remember.

2 Q: Sure. Mr. Hall never told you to your face, he wants a  
3 million dollars to leave, right?

4 A: So I was --

5 Q: To your face.

6 A: I was in the hallway when this conversation took place  
7 while the plumber was inside of his unit. And the units are about  
8 100 square feet, so he can easily hear what's going on.

9 ALJ STECURA: Okay. But that doesn't answer the  
10 question. So if you could please answer.

11 A: To answer if you ever told me in the face, no, he  
12 didn't.

13 Q: No, okay. He never sent you a letter stating he wants a  
14 million dollars so he could leave, right? No.

15 A: No.

16 Q: And he never sent you an email stating he wants a  
17 million dollars to leave, right?

18 A: No.

19 Q: And the plumber doesn't have the authority to give Mr.  
20 Hall a million dollars, right?

21 A: He does not.

22 Q: Okay, thank you. Let's move on to Judy. Right. So you  
23 testified that there was a relationship between Zach and Judy, and  
24 then something happened. Do you remember that?

25 A: Yes, there was some violence.

1 Q: Okay. You -- Judy and -- and Zach never lived together  
2 in the same unit, right? Just in the same building?

3 A: I don't know that, but I do know that they had a  
4 relationship where the police has to get involved.

5 MS. JOSEPH: Ob -- objection, Your Honor. I'm --  
6 I'm asking --

7 Q: Please answer my question. My question was, after you  
8 purchased the building, since you purchased the building, do you  
9 know that Zach and Judy lived in the same unit?

10 ALJ STECURA: He -- he answered the question.

11 MS. JOSEPH: He said, I don't know. Okay.

12 Q: Does Zach and -- does Zach and Judy have separate units  
13 and live in separate units, as far as you know, in the building?

14 A: This is correct.

15 Q: Yes. Thank you. So as -- as far as what you testified  
16 about, there was a relationship, what was -- what happened between  
17 Zach and Ju -- and Judy, that was falling out of a relationship,  
18 right? It's not a domestic issue, right?

19 MR. FAVILUKIS: Objection, Your Honor. I don't  
20 think my client knows what their relationships are.

21 ALJ STECURA: Sustained.

22 Q: Okay. It wasn't a domestic issue because they never  
23 lived in the same unit, right?

24 MR. FAVILUKIS: Objection, Your Honor. Same --  
25 same objection.

1 ALJ STECURA: Sustained.

2 Q: Okay. When did Judy show you the police report and  
3 asked for help with housing voucher to pay for a rent or getting -  
4 - get into a lottery?

5 A: I don't remember the original date when she asked me for  
6 assistance in getting an affordable housing unit.

7 Q: Was it in 2021 after you purchased the building?

8 A: I think the first time might have been around 2022.

9 Q: Okay. And the police report is dated January 2020, but  
10 at the time you purchased the building, Ms. Saban and Zach were  
11 still living in the building when you came in, in June '21, right?

12 A: Correct.

13 Q: And both Ms. Saban and Mr. Hall remain living in the  
14 building until today?

15 A: Correct.

16 Q: I don't know if you recall, you recall last time Ju --  
17 July 10th. Do you remember both seeing them -- seeing them  
18 sitting in the audience, observing the trial?

19 A: I don't remember exact dates, but I definitely saw them  
20 sitting together in the same courtroom, correct.

21 Q: Okay, thank you. Now, you testified that Ms. Saban  
22 asked -- asked you for help to get an apartment far -- far from  
23 Zach. Do you remember that?

24 MR. FAVILUKIS: Objection, Your Honor. Could you  
25 point to the testimony in the transcript?

1 ALJ STECURA: That would be easier. Then we are  
2 not arguing about what was said and what wasn't said.

3 MS. JOSEPH: Okay, Your Honor. Let me see where  
4 it's at. Yeah. Right. So on page 903, it starts on page --  
5 I'm sorry, on line 17 or actually 15. "So Judy came to me  
6 and she said she would need, she would like to have  
7 assistance applying to either lottery or to a voucher. And  
8 she said the police report will prove that Zach harassed her.  
9 And --"

10 MR. FAVILUKIS: I apologize. You -- you're --  
11 you're kind of going from reading to then paraphrasing to  
12 then reading again. And it's not that long of a sentence.  
13 So if you could just read it, it would help.

14 MS. JOSEPH: It's a paragraph, so it's not a  
15 sentence.

16 MR. FAVILUKIS: It's two sentences and you've  
17 changed the words.

18 ALJ STECURA: Mr. Favilukis, stop. Just to avoid  
19 disruptions, please read it. Thank you.

20 Q: Okay. "So Judy came to me and she said that she would,  
21 like, she would need --" I'm sorry, "she would need -- she would  
22 like to have an assistance applying either to lottery or to a  
23 voucher. She said that the police report that proved that Zach  
24 harassed her would, based on her understanding, potentially help  
25 her get either housing voucher or to speed up lottery process to

1 get an apartment far from Zach." Right? Do you remember when --  
2 when was this happened about? Was it -- again, was it -- and I  
3 mean, after you purchased the building after June, 2021?

4 A: I -- I -- I don't remember exactly. A lot of things  
5 happening just with this particular building, but it had to be  
6 sometime in '22 or '23, my guess. And I personally, I just spoke  
7 to Judy. I did not assist her with applying if she did apply,  
8 because I don't do this type of things in the office. I arranged  
9 the meeting for her to meet --

10 ALJ STECURA: Okay. Your -- your question's not  
11 responsive.

12 Q: Okay. So my question is the -- again, the police report  
13 was dated 2020 and as far as you testified, once you purchased the  
14 building, Judy and Zach was living -- were living in the -- in the  
15 same building until the time that she approached you with the --  
16 showing you the police report. Which you -- I believe you  
17 testified, you think it was 2022?

18 A: Yes.

19 Q: And asked for your assistance. Okay. Do you think it  
20 was an urgent situation if Judy stayed living in the building  
21 where Zach lived during that time?

22 A: I don't know. It's a question for Judy.

23 Q: Okay. So when she said to you to get away from Zach,  
24 that was like a year and a half after you were already in the  
25 building, right? You already owned the building, according to

1 your testimony?

2 MR. FAVILUKIS: Objection, Your Honor. I think  
3 that -- that he testified that it was either in 2022 or 2023,  
4 but couldn't remember. But that it may have been in 2022.

5 MS. JOSEPH: 2, right.

6 MR. FAVILUKIS: So now he's being asked to specify  
7 the timeframe during which he owned the building --

8 ALJ STECURA: And he's being -- and he's being  
9 asked to specify whether it's urgent to Judy.

10 MS. JOSEPH: Okay. I -- I took his answer. Let --  
11 let's -- let me show you K4, which is, I believe text  
12 messages or emails. I think it's text messages.

13 ALJ STECURA: You said K4?

14 MS. JOSEPH: K4. Is it K4? Let me just see,  
15 Judge. Maybe it's K5, probably put this aside for now. If  
16 I'm not touching them maybe I'll get -- yeah -- just -- wait,  
17 this is K5. So it's K4, Your Honor. It's Respondent's K5.  
18 You don't need one, right?

19 MR. FAVILUKIS: No, I don't need -- I -- I don't.  
20 But is the entirety of K4 admitted into evidence? Because I  
21 do recall there was some --

22 MS. JOSEPH: No.

23 MR. FAVILUKIS: No, it is not?

24 MS. JOSEPH: There are some pages that are  
25 excluded.

1 MR. FAVILUKIS: Are you looking to admit the  
2 entirety of K4 into evidence?

3 MS. JOSEPH: No, no.

4 MR. FAVILUKIS: Okay.

5 MS. JOSEPH: I'm only referring to what --

6 MR. FAVILUKIS: Because we'll stipulate to it.

7 MS. JOSEPH: No.

8 MR. FAVILUKIS: Okay.

9 ALJ STECURA: Mr. Favilukis --

10 MR. FAVILUKIS: Okay.

11 ALJ STECURA: -- she already said no. I have my  
12 copy.

13 MS. JOSEPH: Oh, I'm just referring to what's in  
14 evidence. I have an extra copy.

15 Q: Let's take a look, if you can, Mr. Geylik. If you could  
16 look, you see on the bottom it says 10 of 82. It's very faint,  
17 but you see that, the first page?

18 A: Yeah.

19 Q: Yeah. So we have -- if you look -- if you want to look  
20 at page 10, 11, 15, 16, and 17 for now.

21 MR. FAVILUKIS: Just repeat that.

22 ALJ STECURA: 10, 11, 15, 16, and 17?

23 MS. JOSEPH: And 17, Your Honor. Yes. I mean, I  
24 think there are in this order. In other words, they were  
25 admitted with some pages missing. So it's really 1, 2, 3, 4.

1 I think it's the first four pages. 1, 2, 3, 4, how is that  
2 possible? Yeah, 10, 11, 15, 16, and 17. The first five  
3 pages.

4 Q: Okay, Mr. Geylik, you -- you have the pages?

5 A: Yeah.

6 Q: The first -- the first five pages.

7 A: 10, 11 15 --

8 Q: 16 and 17.

9 A: 16 and 17.

10 Q: Right. So if you look at these pages, if you want to  
11 just take a look at them, the -- on the first page, it starts  
12 February '22. And if we go to give or take the last page, it says  
13 August 2022, right? So it spans about six months or so.

14 A: Is this within the inquiry period?

15 Q: Well, these are texts --

16 ALJ STECURA: Mr. Geylik?

17 MR. FAVILUKIS: Michael, Michael this is -- please  
18 answer the question.

19 MR. GEYLIK: Okay.

20 Q: So it spans about six months, right? Between these  
21 texts. Between February '22 to August '22, right?

22 A: Okay.

23 Q: I'm sorry?

24 A: Yeah.

25 Q: Okay. So from February '22 till August '22, in those

[01:01:36]

[03:17:18-1]

1 five pages we looked at, in none of these texts, is Judy asking  
2 you for assistance with vouchers to pay rent or going into a  
3 lottery?

4 A: I didn't go through these pages.

5 Q: You want to take a minute? All -- all the way up to 17.

6 A: Okay, I glanced through.

7 Q: Okay, good. And on page -- let's go to page 18. You  
8 see the text August 5th, 2022, and it's towards the bottom because  
9 the couple -- the two text, August -- the second August, 5th. Do  
10 you see that -- that text? That text is from you, right? The  
11 blue one, isn't that right?

12 A: Yes.

13 Q: Okay. And this is, "Dear Judy, this is a link to a  
14 Housing Connect website. Please register and see the building --  
15 the buildings that you might like to apply for." And then there's  
16 a bunch of -- there's a link, right? And afterwards, you write,  
17 there are some had buildings like {03:19:10} [Indiscernible] at  
18 555 West 38th Street, and you provided the link. You see that?

19 A: I do see that.

20 Q: Okay. Now, in the pages that we've seen from February  
21 till this -- this -- this August, as you -- as you confirmed, Judy  
22 was not asking you for any assistance, right?

23 A: Not in the text message.

24 Q: In these -- okay, I'm asking about these text messages.

25 A: Not in this text message, but she was asking me outside.

1 Q: And if you go -- no, I'm just asking about the document  
2 in front of you. And if you go to page 32, it's -- again, it's on  
3 the bottom. I think it's the next page, if I'm not mistaken. Let  
4 me see here. Yeah, it's the next page. If we go to page 32 in  
5 December 26th of '22. Let me see what that is.

6 A: Page 32?

7 Q: Yeah, page 32 on the bottom. And then there's like a  
8 big gray text from Judy 12/26/22. And I am paraphrasing; she's  
9 writing to you --

10 MR. FAVILUKIS: Objection, Your Honor.

11 MS. JOSEPH: All right, I'll read it.

12 ALJ STECURA: Yeah, we -- we've asked -- yeah.

13 MS. JOSEPH: I'll read it.

14 ALJ STECURA: Yes, thank you.

15 Q: "Hello Michael and happy New Year. I'm hoping that --

16 MR. FAVILUKIS: It's not --

17 Q: -- I'm hoping you will be turning on the heat for the  
18 building. This is the first year I have lived in this building  
19 without any heat. And as you know, space heaters are dangerous  
20 when they're running 24 hours, causing potential of fire hazards.  
21 They also dry out the air in the building, which is a health  
22 concern for me because it is prolonging a respiratory infection  
23 for me to have a space heater in my small room. Any updates on  
24 the building heat would be -- heat, will be appreciated." Right.  
25 So she writes it to you on December 26, 2022, and right below

1 this, I think, in January 13, so about two weeks or a little bit  
2 more, she's asking about, "Hello Michael, I just wanted to put it  
3 out there. If there's any rent lottery units in the East Village  
4 or downtown, if you can get some kind of update on the  
5 construction of the Domino Sugar Factory, I'm still interested in  
6 moving, if this -- if the location and price fits my current  
7 financial needs." So in the text that we just read, or I just  
8 read, there's no mention of her wanting to get out of the building  
9 because of Zach. She's actually mentioning con -- lack of heat,  
10 right?

11 A: Not correct. So --

12 ALJ STECURA: Let -- you -- you've answered the  
13 question.

14 MS. JOSEPH: Okay.

15 A: To answer the question in this text --

16 ALJ STECURA: You've answered -- stop.

17 MS. JOSEPH: Okay.

18 A: No.

19 Q: And in her text to you in January 13th, she's not just  
20 focused on the Domino Sugar Factory. She's also asking about East  
21 Village or Downtown, right?

22 A: Correct.

23 Q: Okay. That -- that's -- that's months after your August  
24 5th '22 text to her about her buildings, right? So in the  
25 interim, from August 2022 till January 2023, Ms. Judy was not, or

1 Judy Saban was not texting you about any interest with moving out.

2 ALJ STECURA: So we only have a portion of the text  
3 messages here. So --

4 MS. JOSEPH: Yeah, the text --

5 ALJ STECURE: Between page 18 and page 32.

6 MS. JOSEPH: Oh, --

7 ALJ STECURA: So --

8 MS. JOSEPH: So I'm referring to the -- when I'm  
9 referring --

10 ALJ STECURA: Right, but what I'm saying is --

11 MS. JOSEPH: Yeah.

12 ALJ STECURA: -- your question is misleading.

13 MS. JOSEPH: Ah, well, that's what the -- that's  
14 the -- the Respondent's document.

15 ALJ STECURA: Yes. But your question --

16 MS. JOSEPH: I'm saying --

17 ALJ STECURA: -- is misleading.

18 MS. JOSEPH: -- with -- with reference to the  
19 document, or I should say the exhibit, that Ms. -- that  
20 Respondents entered into evidence, I don't --

21 ALJ STECURA: The document stands for what the  
22 document stands for.

23 MS. JOSEPH: Okay. I don't have anything --

24 ALJ STECURA: It says what it says.

25 MS. JOSEPH: Okay. So -- no, but I'm trying to

1 say, I'm not trying to mislead, I'm saying pursuant to the --  
2 this document.

3 ALJ STECURA: I'm asking you to stop.

4 MS. JOSEPH: Okay.

5 Q: So if we look at page -- the next page, actually, and  
6 again, I'm referencing this -- the text on this document --

7 A: What is the next number?

8 Q: Page 33. I think we were looking at 32, and now we're  
9 looking at 33. So another two months go by, she, Ms. -- Ms. Saban  
10 texted you on January 13th, 2023, and now we are looking at, let  
11 me see the date, March 28th, 2023. And you write, "Hello, Judy.  
12 I hope you're doing well and staying healthy. Just wanted to let  
13 you know my office has some interesting information about housing  
14 lotteries and subsidies. Let me know if you have time to meet and  
15 go over this week." And Judy is intrigued, right? Her answer is,  
16 "Interesting, as in good interesting?"

17 MR. FAVILUKIS: Objection, Your Honor. The  
18 question began with a statement, another two months.

19 ALJ STECURA: Sustained.

20 MR. FAVILUKIS: Thank you, Your Honor.

21 ALJ STECURA: I don't even know what the question  
22 was. It sounded like a comment.

23 MS. JOSEPH: Well, being, Judge, that this is --

24 ALJ STECURA: No, ask a question, please.

25 MS. JOSEPH: Yeah, I'll ask a question.

1 Q: Being that page 32 and page 33 are right next to one  
2 another with no missing text, my question was, between -- between  
3 January 13th when Judy asked you -- texted you about lottery  
4 buildings and -- and March 28, which is on page 33, you were the  
5 one who initiated this text to her?

6 MR. FAVILUKIS: Ob -- ob -- objection, Your Honor.

7 You're -- you're purposefully skipping over my client's two  
8 responses on that date, the first date. They're -- they  
9 scheduled a time to speak. I -- I will read it. So --

10 ALJ STECURA: Okay, the document stands --

11 MR. FAVILUKIS: Thank you, Your Honor.

12 ALJ STECURA: -- for what the document stands for.

13 MR. FAVILUKIS: Thank you, Your Honor.

14 Q: So between the time that Judy asked you about building  
15 lotteries, more than two months passed by, if we look on page 33,  
16 and you are the one who is initiating this text, when you say,  
17 "Hello, Judy, I hope you're doing well. Just wanted to let you  
18 know my office has some interesting information about housing and  
19 subsidies," right? You initiated this text, right?

20 A: The text is here. It's obvious to everybody, but you'll  
21 need the daily communication and conversations that I have. I'm  
22 in the building every day and interactions with the tenants.

23 Q: I'm not asking about communication; I'm just asking  
24 about these texts.

25 A: I -- I understand but there was a conversation --

1 MR. FAVILUKIS: Michael.

2 ALJ STECURA: Just answer the question, --

3 MR. GEYLIK: Yes.

4 ALJ STECURA: -- Mr. Geylik. Your -- your attorney  
5 still has the opportunity to ask you some questions.

6 MR. GEYLIK: I -- I apologize.

7 ALJ STECURA: Okay, thank you.

8 A: The text message is here. The answer is yes.

9 MS. JOSEPH: Okay. Now, look -- let's look at the  
10 last page. I think it's the last page, page 70. Right, so  
11 last page. And let's see, the date is, well, there is no  
12 date really, Judge. So if we look at the page before, and if  
13 that's indicative, it's actually page 33. So I don't have a  
14 date. This document was entered without a date for that  
15 text. But I am referencing the picture of the two NYC  
16 violations. And I'll ask the witness --

17 MR. FAVILUKIS: What -- I'm sorry, what page?

18 MS. JOSEPH: The last page, 70.

19 ALJ STECURA: The last page of the document.

20 MR. FAVILUKIS: The last page of the exhibit?

21 ALJ STECURA: Yes.

22 MS. JOSEPH: Yes. Well, it says page 70. Yeah.

23 MR. FAVILUKIS: Oh, page -- okay, got it, got it.

24 I thought you said a different page. Yes.

25 MS. JOSEPH: No, no, no, it's fine.

1 Q: Let me go it -- by this way. Ms. Saban is texting you,  
2 "I was just calling because I'm a bit concerned with the contents  
3 of this letter posted. It reads like there will have to be  
4 immediate repairs on the staircase, which is alarming because I  
5 currently do not have a place to go in the event that I need to  
6 vacate the building for such repairs. Please keep me posted on  
7 what's happening." And on the right side, there's a picture. Are  
8 those -- is that picture of the violations from DOB on August  
9 14th, 2024?

10 A: Yes.

11 Q: Okay. So we could get the date around August of 24. So  
12 on this page, Ms. Saban is asking you about, do you have any  
13 chance to -- do you have -- do you think I have any chance to make  
14 it on the list to open lotteries?

15 MR. FAVILUKIS: I'm sorry, can you read where  
16 exactly?

17 MS. JOSEPH: Okay. And also --

18 ALJ STECURA: Where are you?

19 Q: Okay. I -- actually, I'm going to -- I'm going to read  
20 the fax text -- the first text on August 19. "Hey Michael, I'm  
21 looking into applying for the housing voucher. Is it possible you  
22 could email me links where I could apply?" And she's giving you  
23 your email -- I mean her email. So my question to you after going  
24 through these is that it is not just Judy Saban who approached you  
25 about housing lottery, it is also you who approached, as we saw in

1 the text, right?

2 A: No, that's not right. Judy Saban approached me many  
3 times regarding housing lotteries, and I complimented her on this  
4 communication.

5 Q: Right.

6 A: I was being professional. I did not approach --  
7 approach Judy Saban originally and asking her to relocate. She  
8 approached me with assistance to apply for housing voucher or for  
9 a lottery. And I continued this line of communication with her  
10 throughout the text message exchange as well as there were  
11 interactions outside of the building. And there -- there was in  
12 no way, shape, or form where I mentioned to her that she need to  
13 relocate or offered her any relocation. She initiated this.

14 Q: Right. So when you -- when you say on page 33, "I hope  
15 you're doing well. Just wanted to let you know, you are letting  
16 her know, that my office has some interesting information about  
17 housing lotteries." That's an initiation from you or from her?

18 A: This is initiation -- this is my response to a  
19 conversation that was initiated by Judy because you don't know the  
20 details. So basically, Judy wanted to be in a specific --

21 Q: I understand. I get the answer.

22 A: -- building --

23 Q: I got the answer. It's a response to initiating  
24 conversation by Judy.

25 A: Exactly, correct.

1 Q: Okay.

2 A: With the request to keep her posted.

3 ALJ STECURA: Okay, thank you. Thank you.

4 Q: Okay, let me see if I can move on. And when you  
5 mentioned Housing Connect, what is Housing Connect as far as you -  
6 - you know?

7 A: As far as I know, it's a platform provided by agency  
8 that you work for HPD, for tenants to create, or applicants, I  
9 should say, to create an account and provide their financial  
10 information, provide their information pertaining to the  
11 household, number of members in their household and when the  
12 project comes out they can submit their interest and apply for  
13 certain buildings.

14 Q: And does MGNY publish affordable housing lotteries for  
15 specific addresses on Housing Connect?

16 A: MGNY does provide information to HPD that posts  
17 information regarding open lotteries. Correct.

18 Q: And these open lotteries are sponsored by MGNY, the ones  
19 that MGNY provides information for?

20 A: Incorrect. There is no such thing as sponsoring. MGNY  
21 is an intermediary, as I mentioned before, between HPD and the  
22 developer. We collect preliminary information pertaining to the  
23 project. We supply to HPD and HPD publishes that on Housing  
24 Connect.

25 Q: Okay. And when a tenant -- when a tenant goes on

[01:17:13]

[03:22:55-1]

1 Housing Connect --

2 A: Not a tenant, an applicant.

3 Q: An applicant goes on Housing Connect and provides, like  
4 you testified, their information on certain projects. Isn't it  
5 MGNY that processes this information with the developer?

6 A: Incorrect.

7 MR. FAVILUKIS: Objection -- objection, Your Honor.  
8 Same objection as we started with.

9 ALJ STECURA: Yes. Not relevant. Sustained.

10 MS. JOSEPH: Okay, fine. Thank you, Judge.

11 Q: Okay. You testified that when you purchased the  
12 building, you obtained DHCR registrations for it. Do you remember  
13 that?

14 MR. FAVILUKIS: Objection, Your Honor. It -- it --  
15 can you just point to the transcript of that sentence?

16 MS. JOSEPH: Sorry, sorry. Okay.

17 ALJ STECURA: And it's 1:00 -- it's after 1:15.  
18 How much longer do you think you have in question, Ms.  
19 Joseph?

20 MS. JOSEPH: I'll take a look, Judge. I do have --  
21 I'm looking at the pages. I -- I do have more to go to.

22 ALJ STECURA: Would this be a natural place to  
23 break?

24 MS. JOSEPH: That would be fine, Judge.

25 ALJ STECURA: Okay. So it's nearly 1:20. We'll

1           come back at 2:20. Mr. Geylik, please do not speak to anyone  
2           about your testimony, including your attorneys. Counsel  
3           could just hang around for one second.

4                         [OFF THE RECORD] [END OF PART 1 OF 2]

5                         [ON THE RECORD] [START OF PART 2 OF 2]

6           ALJ STECURA: Okay. All right. We're back on the  
7           record.

8           MS. JOSEPH: Thank you, Judge. Should I continue?

9           ALJ STECURA: Yes, please.

10          Q: Okay. So, Mr. Geylik, you testified when you purchased  
11          the building you obtained DHCR registration for it but you didn't  
12          pay much attention to it, do you remember?

13          A: There was a copy of the DHCR report obtained but I did  
14          not look into the details.

15          Q: Okay.

16          A: I believe that's correct.

17          Q: Okay. And you cons -- you testified you consulted seven  
18          -- several attorneys about accepting rent from tenants at that  
19          time?

20                         MR. FAVILUKIS: Could you point to the testimony  
21                         you're referring to.

22                         ALJ STECURA: So what I'm going to ask is if Mr.  
23                         Geylik remembers the testimony, then we can move forward. If  
24                         he needs to refresh his recollection, you can give us a  
25                         specific site.

1 MS. JOSEPH: Thank you, Judge.

2 ALJ STECURA: Hopefully that moves us along.

3 MS. JOSEPH: It'll be -- right. It'll be faster  
4 that way.

5 Q: So, again, the question was you testified that you  
6 consulted with several attorneys about accepting rent from the  
7 tenants?

8 A: From some of the tenants.

9 Q: From some of the tenants.

10 A: For -- the records for some of the tenants it was more  
11 or less clean or clear, and the records for other tenants were not  
12 existent at all or were not clear enough for me to accept the  
13 payment where I would do the proper thing.

14 Q: Okay. Now -- so you were aware that these DHCR records,  
15 these events stabilized tenants, but you yourself didn't register  
16 the tenants and the rest until -- and the rent until July, 2023?

17 A: I had an attorney who represents me or the law firm who  
18 represents me taking care of that.

19 Q: Okay. As far as -- I'm asking you, Mr. Geylik, you are  
20 the witness today. The regi -- registering the tenants as rent  
21 stabilized tenants on DHCR with the rents didn't happen till July,  
22 2023, right?

23 A: I mean I -- I do not recall the date; I have an attorney  
24 who represents me for the DHCR filing.

25 Q: Okay.

1           A:    So they might be able to answer your question in more  
2 detail.

3                   ALJ STECURA:   Do you have a document --

4                   MS. JOSEPH:   Yeah, I do.

5                   ALJ STECURA:   -- to refresh the witness's  
6 recollection?

7                   MS. JOSEPH:   I do, Your Honor. Right. Okay. So  
8 it's Exhibit 18, Your Honor. I have more exhibits, if you  
9 need it.

10                  ALJ STECURA:   This is Petitioner's Exhibit 18.

11                  MS. JOSEPH:   Petitioner's 18.

12                  ALJ STECURA:   Thank you.

13                  MS. JOSEPH:   You are welcome. 18.

14                  ALJ STECURA:   And this is in evidence, Counsel?

15                  MS. JOSEPH:   Yes.

16           Q:    Okay. So if we look at the third page, do you see for  
17 the left side it says 219 -- year -- reg year 219. Apartment stat  
18 RS for rent stabilized tenant Remigius Chlapek, and the date July  
19 19, 2023. So that's the date -- the first date that we could see  
20 that it's registered. Do you see that, for this tenant?

21           A:    I see that, yes.

22           Q:    Okay, good. And when you registered that in 20 -- in  
23 July 19, 2023, those -- those rents and tenants went back to 219.  
24 You were covering 219, 220, 221, 222, and 223. Do you see that on  
25 the left side?

1           A:    You said when you registered.  I didn't register it.  
2   Once again, I had a law firm who registered it based on their  
3   research.

4           Q:    Right.  Who -- who's the client that was for the law  
5   firm?  Who was that client?

6           A:    109 E9, LLC.

7           Q:    Right.  And are you the president of that -- what's your  
8   --

9           A:    No, I'm not a president.  I'm a member.

10          Q:    You are a member of that -- of that corporation?

11          A:    Yes.

12          Q:    Okay.  Are there any other owners of that cooperation?

13          A:    Yes.

14          Q:    Any other -- I'm sorry.

15          A:    Yes.

16          Q:    Who are they?

17          A:    Yuri Geylik.

18          Q:    And -- and yourself?

19          A:    Yes.

20          Q:    So there's two owners for 109 East 9th, which is the LLC  
21   owner of the building.  And you and your -- and your brother are  
22   the owners, right?

23          A:    Correct.

24          Q:    Okay.  All right.  Okay.  And if you look at the, for  
25   example, let me just -- let me just see here.  So for -- I'm --

1 I'm sorry, I'm just trying to see -- okay. That was page 3. If  
2 we go to page 5, that's the same years that was -- Mr. Shiras  
3 Patterson Beckwith was registered, July 19, '23. And that went  
4 from 219, 222, 221, 222, right? And if you look at page --

5 [CROSSTALK]

6 MS. JOSEPH: I'm sorry. I didn't hear that.

7 ALJ STECURA: Did the witness answer?

8 MS. JOSEPH: Yeah.

9 A: The record is here.

10 Q: Okay.

11 A: Yeah.

12 Q: Okay. And it's the same thing two page later for Ms.  
13 Saban, right? I think it's page 7, right?

14 A: Correct.

15 Q: Right. Okay. So after you registered Ms. Saban July,  
16 19, 20 -- after Ms. Saban was registered on July 19, 2023, and her  
17 record goes back to 219, you still didn't accept rent payments  
18 from her, right?

19 A: No. We had a communication about Judy starting paying  
20 her rent, but there was no exact demand. There was a  
21 communication that she will start paying her rent, but there was  
22 no official demand because she needed more time, my recollection.

23 Q: Okay. When you say there was no official demand, do you  
24 -- do you mean you did not ask her for rent?

25 A: I did let her know, or there was a mutual understanding

1 -- I -- understanding that she's going to need to start paying her  
2 rent, but my recollection that there was no official request --

3 Q: Okay.

4 A: -- to pay. There was a mutual understanding she's going  
5 to start paying her rent.

6 Q: Okay. So if we -- we looked at K4, which is all your  
7 texts, and -- and like the Court had pointed out, it doesn't cover  
8 all the texts, but all the texts within that exhibit, the dates of  
9 the text, I think it goes to a few pages, maybe 10 or so. Oh, I  
10 have it here, I'm sorry. Actually, it's probably more than 10,  
11 about 15 pages. Within the text that we -- that you put into  
12 evidence or your Counsel put into evidence, there isn't one text  
13 where you are asking Ms. Judy Saban for rent; isn't that right?

14 A: If it's there, it's there. I don't remember.

15 Q: In fact, do you still have that exhibit there, K4? Do  
16 you need me to come and put it out? You have it, Mr. Geylik?

17 A: Yeah.

18 Q: Okay, great. So if we look at page 15, so it's --  
19 again, it's the page number, I'm taking it from the bottom, so  
20 it's the third page and it says page 15 of 82. Ms. -- Ms. Saban  
21 is asking, "Do you have a moment today where I could bring the  
22 July's rent?" And that is July 5, 2022, so it's -- July refers to  
23 --

24 A: Ms. -- Ms. Joseph, you established that the rent was  
25 registered July 19, 2023. You're pointing to the --

1 ALJ STECURA: So Ms. -- Mr. Geylik, Ms. Joseph is  
2 in the middle of asking a question. Please wait until her  
3 question has finished and then answer her question.

4 Q: So my question is, that text, which relates to July 5th,  
5 2022, says, "Hi. Do you have a moment today where I could bring  
6 my -- your July -- where I could bring you July's rent?" Right.  
7 And I think that text was 10:55 and --

8 MR. FAVILUKIS: 12:10.

9 Q: -- and -- and -- I'm sorry, 12:10. Yeah, thank you.  
10 12:10 and 1:24, there's another text from Judy saying, "Hello?"  
11 Right. Do you see that? And -- you see that, right?

12 A: I do see that, yes.

13 Q: Okay. And you say -- your answer is, "Hi. Yes. Let's  
14 talk later." Now, my question is this July rent, July for 2022,  
15 you did not accept that rent, right?

16 A: Not correct. So I just want to make sure that we are  
17 clear. You brought, as a reference, July 19, 2023, when the  
18 building was registered.

19 Q: Mr. Geylik --

20 ALJ STECURA: Okay.

21 Q: -- I'm asking you about the text.

22 ALJ STECURA: Yes, she's asking --

23 MR. GEYLIK: Okay.

24 ALJ STECURA: Answer her questions, please.

25 A: The text -- when the text was sent, it was not clear to

1 me, as of yet, what her proper rent should be because when she was  
2 let into the building by somebody, we don't know who, she was  
3 paying \$500, which was substantially higher than she was supposed  
4 to be paying. And I didn't want to accept the rent that is higher  
5 three or four times than she was actually supposed to be paying.

6 Q: Okay.

7 A: I didn't know what her rent is, that's why I didn't  
8 accept it.

9 Q: Okay. Okay. Thank you.

10 A: You're welcome.

11 Q: Now, in December last year of 2024, you sued Ms. Saban  
12 for all the months from July, 2021 through December, 2024, right?

13 A: I don't remember the date. There was a non-payment  
14 action, yes.

15 Q: Right. Okay. Would you be surprised if I tell you it  
16 was December last year that you sued Ms. Saban for, approximately,  
17 four -- four years of rent?

18 A: I would not be surprised at all.

19 Q: You would not be surprised?

20 A: Yeah.

21 Q: Okay. So part of the lists of rents that you are suing  
22 for in this -- in this lawsuit is included, not just -- this  
23 included the July, 2022 rent that she was offering to pay you and  
24 you didn't accept?

25 A: Ms. Joseph, the -- July, 2022, it's the period of time

1 that was well established that we had no clear understanding what  
2 her rent is and I didn't want to expect -- accept \$500 that Saban  
3 was offering to pay me because I was not sure what amount she  
4 should be paying me. And it's still the same answer,  
5 consistently.

6 Q: Okay. And so after July, 2023 -- between July, 2023 and  
7 December, 2024, after you registered her rent, you still didn't  
8 accept it?

9 A: I do not recall. There were conversation that she would  
10 start paying her rent. If there is anything in a text message  
11 that she offered, I would like to see that from July 19, 2023, up  
12 until November --

13 Q: December, 2024. My question is after you registered her  
14 rent -- after you -- I'm sorry. I withdraw that. After you knew  
15 exactly where her rent is, there is no any rent -- any demand for  
16 rent or -- in the text that we have that you have asked her for  
17 her rent, right?

18 A: Please ask me a question. I -- I don't know.

19 ALJ STECURA: He -- he's asked and answered this  
20 question.

21 MS. JOSEPH: Okay. Okay. Thank you.

22 ALJ STECURA: Or you've asked it, he's answered it.

23 Q: Okay. Yeah. You also testified that after you bought  
24 the building, you -- Judy offered you \$500 per month, \$5,000  
25 upfront for 10 months of rent?

[02:41:00]

[00:13:21-2]

1 A: Correct.

2 Q: Right. And do you recall more specifically when that  
3 was?

4 A: It was soon after I bought the building. I don't  
5 remember when.

6 Q: Okay. And so, at that point, the \$5,000 that you stated  
7 was offered to you, covered 10 months of rent in advance, right?

8 MR. FAVILUKIS: Objection, Your Honor. He  
9 testified that he did not know what the rent was at that  
10 time.

11 ALJ STECURA: Sustained.

12 Q: The amount that Judy was offering you, \$500 a month,  
13 that was for 10 months in advance, right?

14 A: That was Judy's offer to pay for 10 months whatever she  
15 was paying to the prior ownership.

16 Q: Okay.

17 A: This is correct.

18 Q: Thank you. And, clearly, by offering to pay you 10  
19 months in advance, Judy intended to be in the building for 10  
20 months, right?

21 MR. FAVILUKIS: Objection, Your Honor.

22 A: I don't know.

23 MR. FAVILUKIS: My client doesn't know what her  
24 intent was.

25 ALJ STECURA: Sustained.

1 MS. JOSEPH: Okay. Okay. I wanted to look at K6,  
2 Your Honor, which is a video that was entered last time into  
3 evidence. I'm not sure how to do that. It is your --

4 MR. FAVILUKIS: We can do it.

5 MS. JOSEPH: -- your exhibit online.

6 ALJ STECURA: Could you please facilitate?

7 MS. JOSEPH: Thank you, Judge.

8 MR. GOLDSMITH: Yes. K what?

9 MR. FAVILUKIS: K6.

10 MS. JOSEPH: K6.

11 MR. GOLDSMITH: Okay. Do you want it played?

12 MS. JOSEPH: Let me see what I see here. I can't  
13 really see anything yet.

14 MR. GOLDSMITH: You can enlarge it.

15 MS. JOSEPH: No, no, that's -- I'm just trying to -

16 -

17 [OFF MIC CONVERSATION]

18 MS. JOSEPH: Yeah, I'm -- I'm not oriented. Okay,  
19 I see. I see now. Okay. You can enlarge it, you said?

20 MR. GOLDSMITH: Yeah.

21 MS. JOSEPH: Oh, okay. That's better. Can you  
22 stop it. Can you go to the beginning, I'm sorry. I wanted  
23 it -- the beginning. And you don't have to -- I think that's  
24 fine. You don't have to press play yet. Do you want to  
25 assist? Do you want to go over there and just press play

1 quickly or -- oh, you can do it. It's -- so, yeah. Could  
2 you just press it for a, like split second and stop because  
3 then if you press it more -- that's it. That's it. Well, --

4 MR. GOLDSMITH: It's not stopping.

5 MS. JOSEPH: It's not stopping.

6 MR. GOLDSMITH: All right. There we go.

7 MS. JOSEPH: Okay. Okay.

8 MR. GOLDSMITH: It's -- just for Your Honor, it  
9 stopped at 0.4.

10 ALJ STECURA: Thank you.

11 Q: Okay. I wanted to ask you about the alleyway video of -  
12 - of Ms. Saban. You testified that you gave a key to the tenants  
13 of the co -- to some of the tenants, let me be specific, of the  
14 courtyard side door closest to the building that leads to the  
15 alleyway; am I right? Is that right?

16 A: This is correct, yes.

17 Q: All right, good. And you gave them the key so they  
18 could access the trash bin --

19 A: Yes.

20 Q: -- inside the alleyway?

21 A: Yes.

22 Q: And is that -- did you give them the key because  
23 sometimes the main gate is locked?

24 A: No.

25 Q: So why did you give him the key then?

1 A: Because --

2 MR. GEYLIK: Can I show?

3 ALJ STECURA: No.

4 MR. GEYLIK: I cannot show.

5 A: So there is a door on the left-hand side that is  
6 operated by the key, it could be opened by the key. You can pull  
7 the door, go in, throw out the garbage, leave and close the door.  
8 I don't know why it's Judy's preference not to use the door.

9 Q: That wasn't the question. My question was why did you  
10 give him the key?

11 A: Why not? It's -- they're supposed to throw out the  
12 garbage in the alleyway where I pay for the garbage collection.

13 Q: Why do they need a key?

14 A: Why do they need a key? Because there is a two way to  
15 open this gate. One is the proper way, to use the key on the  
16 left-hand side. If somebody doesn't have a key, or for whatever  
17 reason they don't want to use it, the -- the gate is operatable --  
18 you operate it very easily by opening up the metal piece, opening  
19 the gate, go in, go out. I don't -- everybody has a, like,  
20 personal preference to either through the door or through the main  
21 large gate.

22 Q: Okay. So your testimony was that Ms. Saban has a key to  
23 the --

24 A: Yes.

25 Q: -- to the side gate.

1 [CROSSTALK]

2 A: I don't know if still has it.

3 ALJ STECURA: Let -- let her finish.

4 A: She had it.

5 ALJ STECURA: Let -- please --

6 A: I don't know if --

7 ALJ STECURA: Please.

8 Q: Okay. Your testimony was that you gave Ms. Saban a key  
9 to the side gate, --

10 A: Okay.

11 Q: -- right?

12 A: I believe so.

13 Q: You believe you gave her a key?

14 A: No, no. I believe that was my testimony. She had a  
15 key. I don't know if she still has it.

16 Q: That wasn't my question.

17 MR. FAVILUKIS: Do you want to refer to the  
18 testimony?

19 Q: I'm asking for the third time.

20 MS. JOSEPH: No, I'm asking him a question.

21 Q: Did you give -- is -- isn't -- didn't you testify that  
22 you gave Ms. Saban a key to the side door?

23 A: Yes.

24 Q: Okay.

25 A: She had a key.

1 Q: That's it. Okay.

2 A: I gave her a key, yes.

3 Q: Okay. That's it. So in this video, Ms. Saban is  
4 extending her arm from the outside, right, from the sidewalk to  
5 lift some sort of a locking mechanism to be able to open the door  
6 to the main gate; is that right?

7 A: That is what it looks like, yeah.

8 Q: Is that what we saw? That's what it looks like.

9 A: Sure.

10 Q: And she's choosing to do it that way although she had a  
11 key to the -- to the gate, as you -- as you testified, to the side  
12 door?

13 A: You're asking me why she does it? I don't know.

14 Q: No, I didn't say why.

15 ALJ STECURA: No, no. That's not the -- that's not  
16 the question. So --

17 Q: My question was, Ms. Saban is choosing to extend her arm  
18 into the gate, actually, I think she has to -- the -- the locking  
19 mechanism is a little lower, bent down a bit and lifted some --  
20 some sort of locking mechanism that's inside the alleyway so she  
21 could come in to throw the trash. And she's doing all that,  
22 although you provided her with the key to the side door?

23 A: Yes.

24 Q: Okay. Let me move on. You also testified -- and I can  
25 refer to it if -- if need be, you testified that unit 3-C is on

1 the 4th floor, that's when -- that's where Judy Saban lives,  
2 right?

3 A: It's a 3rd residential, 4th if you come from the street  
4 level.

5 Q: Okay. Let -- let -- let me ask you in terms of the --  
6 the roof. There's the roof, right?

7 A: Yeah.

8 Q: We went through that. There's the 5th floor underneath  
9 the roof?

10 A: Yeah.

11 Q: Right?

12 A: Yeah.

13 Q: There's the 4th floor, right?

14 A: That's where Judy lives, yes.

15 Q: And then there's the 3rd floor, 2nd floor and 1st floor.  
16 Okay. Now, if we -- looking at -- from the roof from the top, Ms.  
17 Judy Saban is -- is -- lives on the 4th floor, --

18 A: Correct.

19 Q: -- is that right?

20 A: Correct. This is correct.

21 Q: And her unit is 3C, right?

22 A: Correct.

23 Q: Correct. And Thomas Dukelith's unit is also on the 4th  
24 floor, they are neighbors, right?

25 A: Yeah.

1 Q: And his unit is 3-D?

2 A: Correct.

3 Q: Correct. And I believe we had testimony that there's a  
4 vacant unit 3-A on that floor, right?

5 A: Correct.

6 Q: Okay. So there's always been three residential SRO  
7 units on the 4th floor, right?

8 A: No.

9 Q: 3-C, --

10 A: That's not right.

11 MR. FAVILUKIS: Can you please specify the  
12 timeframe, you said always.

13 MS. JOSEPH: Let me refer you to the I-cards, okay?  
14 It is, I believe, Petitioner's 3, Your Honor.

15 MR. GEYLIK: Ms. Joseph, I can save time.

16 MR. FAVILUKIS: No.

17 ALJ STECURA: No, no.

18 MR. FAVILUKIS: Let her ask -- let her ask her  
19 question.

20 MS. JOSEPH: Oh, that's the video. Yeah. Here it  
21 is. So I'm going to refer you to the I-cards, and it's my  
22 exhibit and there's a copy. You're welcome. I have it  
23 handy, Your Honor. Thank you.

24 ALJ STECURA: Thank you.

25 MS. JOSEPH: You're welcome.

1 MR. FAVILUKIS: Thank you.

2 Q: So if you look at this -- if you open up to the -- let  
3 me see. It's the third page after the certification page, right?  
4 Do you see where it says floors, right, you say -- it say -- it  
5 says three, and it says four, and it says five. Do you see that?  
6 It's just the third page after the certification page, so you  
7 could count 1, 2, 3.

8 A: Yeah.

9 Q: Yeah. So the 4th floor says three units, right? The  
10 number 3 is there?

11 A: Can you please show me?

12 MS. JOSEPH: May I approach, Judge?

13 ALJ STECURA: Yes, you may.

14 MR. FAVILUKIS: I -- and I -- I can also pull it  
15 up.

16 ALJ STECURA: It's okay.

17 MR. FAVILUKIS: This is our --

18 MS. JOSEPH: We have an exhibit. I don't need you  
19 to show that.

20 MR. FAVILUKIS: Sure. Sure. Sure. I'll just pull  
21 it up for myself so it's easier to see.

22 Q: It's right here. It says 2, 3, 4, 5, and under 4 it  
23 says three units. I'm -- I'm pointing it to you, I -- right here  
24 it's --

25 A: So it's -- yeah.

1 MR. FAVILUKIS: It's right up there on the screen.

2 Q: So underneath 4 it says three units, right?

3 ALJ STECURA: Okay. She didn't want you to show  
4 that.

5 MR. FAVILUKIS: Sure.

6 Q: Mr. Geylik, can you answer my question?

7 A: Yes.

8 Q: Yes.

9 A: I should first start with six and it says three.

10 Q: No, I'm asking under 4. Under 4 it says three units,  
11 right?

12 A: Okay.

13 Q: Yes. And this document is -- this document is from  
14 September 26, 1965, okay. And you were asked -- last time, you  
15 were asked if unit 3-B is listed on the I-cards. And you answered  
16 that it is a class B unit. Do you remember that or you want me to  
17 refer to the page?

18 A: Unit -- which -- which one?

19 Q: 3-B.

20 A: Okay.

21 Q: That's what you said; isn't that right? That it's --  
22 it's -- you said it was on the 4th floor and it's --

23 MS. JOSEPH: I lost my spot here. I'm sorry, Your  
24 Honor.

25 Q: Right. You said that he was on the I-cards, do you

[02:52:01]

[00:24:22-2]

1 remember that?

2 A: No, I do not.

3 Q: Okay. So let me see if I could pull this up. 924.

4 Oops, let me put this. Okay. So nine -- page 924, and line 15,

5 okay, and it says, this is a question. Counsel is asking you,

6 "What is 3-B designated as -- as on the -- on the I-cards?" Your

7 answer, "A unit." A, like in the capital letter, A. Question,

8 "A. A unit?" Answer, "Yes." "What type of unit?" "Class B

9 unit." All right. So if we are looking at this, this is the I-

10 cards, right, there is no designation of 3-B on this I-card,

11 right?

12 A: Yeah.

13 Q: Okay. No, my question is, do you see a designation of

14 3-B on this I-card, yes or no?

15 A: I do not. Just like this --

16 Q: You do not?

17 A: -- you don't.

18 Q: Okay. And, actually, I'm going to flip it because I

19 want to look at the whole exhibit. Let me see if it has another

20 page that shows the units. Okay. So the page behind it, okay, it

21 also says -- actually, I don't know if that's a good one. I could

22 barely see this. Let me see. Okay. This is a record from 1941

23 and there is no designation here of units 3-B, 3-C, or 3-D; isn't

24 that correct? It's not designated on this I-card.

25 A: The record speaks for itself. I don't see it.

1 Q: You don't see it? Okay. So let's -- let's look at the  
2 certificate of occupancy, that's B3.

3 MS. JOSEPH: Is that underneath here somewhere? Is  
4 that it?

5 MR. MESTOUSIS: Yeah.

6 MS. JOSEPH: Yeah. Okay. So B3 is your record.

7 MR. FAVILUKIS: Uh-huh.

8 MS. JOSEPH: Okay.

9 MR. FAVILUKIS: Do you want to put it up?

10 MS. JOSEPH: Do you want -- do you need a copy, by  
11 any chance? I'm going to give you the exhibit. You could  
12 put that down. Thank you. Put those down, and also that one  
13 down.

14 MR. GEYLIK: No, I need this.

15 MR. FAVILUKIS: No, just put it down and then --

16 [CROSSTALK]

17 ALJ STECURA: No, no. You don't need any -- unless  
18 -- I -- I sense your frustration or that you want to say  
19 something, but right now you're just answering the questions.  
20 It is what it is. So put the other documents to the side.

21 MR. GEYLIK: I did.

22 ALJ STECURA: Flip them over and just look at B3.

23 MS. JOSEPH: Would You Honor a record or should --

24 ALJ STECURA: I have one, thank you very much.

25 MS. JOSEPH: Oh, you're welcome, Judge.

1 Q: Okay. So if we look at the second page, I believe, let  
2 me see here. No, it's the third page, I'm sorry. Up on top it  
3 says 3 of 3, right. And it says, "Floor 4." Do you see that up  
4 on top on the left side? Do you see that, Mr. Geylik?

5 A: Yes.

6 Q: Yes. And it says, "Dwelling units or rooms; 3." The  
7 number 3 is there, right?

8 A: Okay.

9 Q: Okay. So these records, they are the official records  
10 that show that there are three units on the 4th floor. So the  
11 three units, my question was, there is no additional 3-B unit on  
12 the 4th floor, right?

13 A: No, that's not right.

14 Q: No, there are no four units on the 4th floor, right?

15 A: That's not right.

16 Q: That is not right?

17 A: Yeah.

18 Q: I'm -- I'm -- all right. Let me -- let me -- let me be  
19 more specific.

20 A: Earlier --

21 Q: On the -- Mr. Geylik, let me be more specific. On the  
22 records we just looked at, the I-cards and the certificate of  
23 occupancy, we didn't see four units on the 4th floor; isn't that  
24 right?

25 A: That's not correct because earlier you asked me to go

1 through a violation that ends 61J and the violation clearly says  
2 that that unit was created illegally.

3 Q: Okay.

4 A: And it says lessening the units to three.

5 Q: Okay.

6 A: So that's the violation 61. You're trying to catch me  
7 in something that Building Department possibly had a mistake in  
8 and there is a clearly a violation for that unit being created  
9 illegally with the hazardous gas connection. That's a violation  
10 that ends 61J.

11 MS. JOSEPH: Judge, I move to strike that. It's --  
12 it's not -- I'm not asking him about the violations, I'm  
13 asking him about the number of units at a historical record -  
14 -

15 MR. FAVILUKIS: Your Honor, --

16 MS. JOSEPH: -- from 1965 and, I believe, from  
17 2003. So --

18 ALJ STECURA: Yes. Sorry.

19 MS. JOSEPH: -- the -- the answer is incorrect. If  
20 -- if I asked him, specifically, those two records show that  
21 there are three units on the 4th floor, I'll take his answer  
22 as incorrect, but the rest of his answer is not related to  
23 this -- to this question.

24 ALJ STECURA: Mr. Favilukis?

25 MR. FAVILUKIS: I believe that Counsel did -- and -

1 - and I apologize if I misunderstood. I believe that Counsel  
2 did ask if there were ever four units on the 4th floor, which  
3 is, I think, what he's responding to. Now, if I  
4 misunderstood, I apologize. And if you want to ask the  
5 question more clearly, I'm sure he'll respond to it in a  
6 manner that you find appropriate, but --

7 MS. JOSEPH: Okay.

8 MR. FAVILUKIS: -- I think that was the question,  
9 whether there were any -- were there -- there were ever four  
10 units on the 4th floor?

11 ALJ STECURA: That's my understanding as well.

12 MS. JOSEPH: Okay. So I'll withdraw that question.  
13 My question is, what -- I had --

14 ALJ STECURA: That question was already out. It  
15 was answered.

16 MS. JOSEPH: Okay.

17 ALJ STECURA: It's not withdrawn.

18 MS. JOSEPH: So, -- right.

19 Q: So in 1965 there was the record we saw in the I-cards on  
20 the 4th floor there are three units only, right?

21 A: The record shows three, correct.

22 Q: Three, that's right. And in 2003, the record -- the CO  
23 shows three units on the 4th floor, right?

24 MR. FAVILUKIS: 2023.

25 MS. JOSEPH: 2023, thank you.

1 A: Correct.

2 Q: Okay. That's all. And when you registered the units  
3 with the DHCR, going back to 2019, like we just saw, you  
4 registered three residential units on the 4th floor, right, 3-A,  
5 3-C, 3-D?

6 MR. FAVILUKIS: Objection, Your Honor. He clearly  
7 testified that he was not the one to register with DHCR.

8 MS. JOSEPH: No. Judge, --

9 ALJ STECURA: I'm going to sustain it. You can  
10 rephrase the question.

11 MS. JOSEPH: Okay.

12 Q: When you caused the -- the -- when you -- all right.  
13 Let me backtrack. Who registered these units with the DHCR in  
14 2000 -- in 2023?

15 A: It's the law firm.

16 Q: Law firm?

17 A: Yeah.

18 Q: Okay. And who hired the law firm to do that?

19 A: I did.

20 Q: Okay, thank you. So when you hired the law firm to  
21 register this unit on the -- on July, 2023, the only units  
22 registered are 3-A, 3-C, and 3-D, there is no 3-B listed.

23 A: Vacant unit. There -- a lot of vacant --

24 Q: I said there is no 3-B. Whether vacant or occupied,  
25 there is no --

1 A: I don't --

2 MS. JOSEPH: Let me show you the record. Thank  
3 you. Sure. Thank you. Actually, can I get some water,  
4 Judge?

5 ALJ STECURA: Of course. What -- is this Exhibit  
6 17?

7 MS. JOSEPH: Yes.

8 ALJ STECURA: And this is in evidence?

9 MS. JOSEPH: Yes, it's all in evidence. There's  
10 only one exhibit that's currently not in.

11 ALJ STECURA: Okay.

12 MS. JOSEPH: Everything through 38, I believe, is  
13 in evidence.

14 MR. FAVILUKIS: I'm sorry, what's in -- what --  
15 what was that?

16 MS. JOSEPH: It's in evidence.

17 ALJ STECURA: Everything's in evidence that she's  
18 showing right now.

19 MR. FAVILUKIS: Okay.

20 Q: So my question was when you hired the law firm to  
21 register the units with the DHCR, on the DHCR registration there's  
22 only a 3-A, a 3-C, and a 3-D that we are looking at. There is no  
23 3-B, right? You could look at the record, Mr. Geylik.

24 A: Oh, if you ask me to look at the record, there is no 3-  
25 B, correct.

1 MS. JOSEPH: Okay. Okay. Let me just get a sip.  
2 Mr. Geylik, do you need some water as well? Do you need some  
3 water?

4 MR. GEYLIK: No, not now. Thank you.

5 MS. JOSEPH: Not, okay. Okay. Let me move on.

6 Q: Mr. Geylik, when you purchased -- when you purchased the  
7 building -- I'm sorry. Ju -- I need -- just need a minute. 61.  
8 All right. Thank you. So since you purchased the building, which  
9 was, I believe, July, 2021, right, you -- you testified that there  
10 was no superintendent in the building, right?

11 A: Correct.

12 Q: And there was no janitor in the building, right?

13 A: The building was cleaned, but there was no designated  
14 janitor.

15 Q: There was no what, I'm sorry?

16 A: The building was cleaned, but there was no designated  
17 janitor.

18 Q: Designated janitor?

19 A: There were cleaning people. Yeah.

20 Q: Okay. Now, as the member of the owner of the building,  
21 the subject building 109 East 9th Street, you know that you're  
22 responsible to comply with the law regarding providing a janitor  
23 or a superintendent, I should say, right?

24 MR. FAVILUKIS: Objection, Your Honor. Calls for a  
25 legal conclusion.

1 MS. JOSEPH: No.

2 ALJ STECURA: So I'm going to ask you to rephrase  
3 that. Thank you.

4 MS. JOSEPH: Okay.

5 Q: As the -- as the member of the owner of the subject  
6 building, you know that you are required to provide a  
7 superintendent for the building?

8 A: I didn't know and a lot of duties that a superintendent  
9 would perform I did it myself based on communication with the  
10 tenants. Since I'm working in the building, I am, literally, six,  
11 seven days a week in the office. When something is needed to be  
12 done, I was very quick to reply and getting it done.

13 Q: Okay.

14 A: I was literally getting done most of the things. There  
15 was an assistant or when the building needs to be cleaned, it was  
16 cleaned by the cleaning people that cleaned my office.

17 Q: Okay. The superintendent services and cleaning  
18 services, you -- you're testifying that you are providing that on  
19 a regular basis or as needed?

20 A: I don't understand your question.

21 Q: Okay. I'll ask it -- I'll ask it in different way. Is  
22 there a schedule for the, either a superintendent or -- or a  
23 janitor to be cleaning the building?

24 A: Yes. There is a walkthrough that every day or every  
25 other day, if something like small one is on the floor, it's being

1 picked up and the building is cleaned thoroughly at least once a  
2 week.

3 Q: Okay. And the -- the -- the bathrooms are cleaned as  
4 well?

5 A: It's my understanding the bathrooms are cleaned as well.

6 Q: How often?

7 MR. FAVILUKIS: Object -- just objection. I  
8 apologize. What timeframe are we talking about?

9 MS. JOSEPH: Since he bought the building.

10 MR. FAVILUKIS: So prior to the inquiry period?

11 ALJ STECURA: Can you limit it to the inquiry  
12 period. Thank you.

13 MS. JOSEPH: Well, I can limit it to the inquiry  
14 period.

15 Q: As of March 2024 onward, do you have an exact -- do you  
16 have a schedule of when the public areas are being cleaned,  
17 especially the facilities?

18 A: There is no exact schedule. So --

19 ALJ STECURA: No, there's no question pending, sir.

20 MR. GEYLIK: Yeah, but the way --

21 ALJ STECURA: There's no question pending, sir.

22 MR. GEYLIK: Can I --

23 ALJ STECURA: No, you can't. Thank you.

24 Q: Did you know that a person who performs the cleaning  
25 services of your type of building has to have a certain residency

[03:05:51]

[00:38:12-2]

1 require -- has to live near the building or in the building?

2 MR. FAVILUKIS: Objection, Your Honor. It calls  
3 for a legal conclusion.

4 MS. JOSEPH: I'm asking if he knows.

5 ALJ STECURA: If he knows, he can answer.

6 A: I don't know.

7 Q: You don't know. Okay.

8 A: Yeah.

9 MS. JOSEPH: Let me look at page 860, 861 before I  
10 ask the question, Your Honor.

11 Q: Okay. So on page 860, question, line 24, "I want to be  
12 clear, you did not hire a superintendent. What I'm asking is, did  
13 -- did the bar have a superintendent for the building?" The  
14 answer is, "No." Let me see here. Actually, I don't think that -  
15 - let me see if it's up there. Okay. Well, on the building  
16 registration you filed with HPD, since you state that you take  
17 care of matters that need to be taken care of with the tenants,  
18 you are listed as the building manager, correct?

19 A: I believe so, yes.

20 Q: Right. But you don't live -- do not live in the building,  
21 right?

22 A: I do not live in the building, but the time that I spent  
23 in the building is more time than I spent outside of the building.

24 Q: And you also manage the building at 37 West End Avenue  
25 in Brooklyn?

1 A: I -- that's where I live.

2 Q: Are you also the building manager for that building?

3 A: Could you please describe the manager, in your  
4 understanding?

5 ALJ STECURA: Okay. If you don't understand the  
6 question, you just say I don't understand the question.

7 A: I don't understand the question.

8 ALJ STECURA: But you don't ask questions to Ms.  
9 Joseph. This is a one-way street.

10 Q: I am asking for what the title says, building manager.  
11 Isn't it true that you are listed as the building manager for this  
12 building at 37 West End Avenue in Brooklyn?

13 MR. FAVILUKIS: Your Honor, can we get some  
14 clarification. Where is it that Ms. Joseph is saying it's  
15 the -- his name is listed as the manager for this other  
16 building?

17 ALJ STECURA: Ms. Joseph, do you have a document to  
18 refresh?

19 MS. JOSEPH: I have a document that I will need to  
20 move into evidence, Your Honor. So I'm offering it for id,  
21 it's Exhibit 39 and I believe the Court had advised that I  
22 could attempt to admit it during cross examination.

23 ALJ STECURA: Yes, this sounds familiar. Let me  
24 just refer to my records here.

25 MS. JOSEPH: Okay. Go ahead. Go ahead.

1 ALJ STECURA: Thank you.

2 MS. JOSEPH: If you don't mind, I'm just going to  
3 put these {00:41:14-2} [indiscernible].

4 Q: Okay. So, Mr. Geylik, --

5 MR. FAVILUKIS: Your Honor, if I may. I -- so I'm  
6 recalling that there was a discussion had as to the purpose  
7 of this document, and I believe we objected to one -- to --  
8 to the purpose that Ms. Joseph originally attempted to enter  
9 it into. And -- right.

10 ALJ STECURA: Go ahead.

11 MR. FAVILUKIS: So I just want to make sure that  
12 this document is being admitted for a limited purpose.

13 ALJ STECURA: And it was in connection with a  
14 specific witness before. Yes, Ms. Joseph, you're going to  
15 have to show why this is relevant.

16 MS. JOSEPH: So it's relevant, number 1, for the  
17 fact that Mr. Geylik resides in this and as he testified he  
18 does not reside in 109 East 9th Street. And --

19 ALJ STECURA: But he already testified to that.

20 MS. JOSEPH: Right.

21 ALJ STECURA: Yeah.

22 MS. JOSEPH: And he also is listed on the second  
23 page or third page, I believe it's the third page as the  
24 managing agent for this building.

25 MR. FAVILUKIS: But you can be a managing agent for

1 multiple buildings.

2 MS. JOSEPH: And as -- and as -- you know, we don't  
3 need to -- to -- testimony.

4 ALJ STECURA: But -- but also why is that relevant?

5 MS. JOSEPH: It's relevant because as a managing  
6 agent for a building with the -- that many unit, he -- 27  
7 units, Your Honor, he -- I -- I'd like to know if he's  
8 familiar with the requirement to have a superintendent.

9 MR. FAVILUKIS: But you can ask that without  
10 entering this into evidence.

11 ALJ STECURA: Yeah. I -- I agree.

12 MR. FAVILUKIS: He answered that question. Also,  
13 this isn't an SRO.

14 MS. JOSEPH: Nobody said it's an SRO.

15 ALJ STECURA: So I don't see -- this document is  
16 not relevant. It relates to his private residence, which is  
17 not at issue here. And you can ask those same questions  
18 without the document.

19 MS. JOSEPH: Okay. So I'll ask them. Well, I -- I  
20 tried.

21 ALJ STECURA: So let's put --

22 MS. JOSEPH: I tried and he has said, what do you  
23 mean is a -- what do you --

24 ALJ STECURA: But that -- the document's not going  
25 to --

1 MS. JOSEPH: Okay. So --

2 ALJ STECURA: -- eliminate that, so --

3 Q: All right. Are you the managing agent for the building  
4 at 37 West End Avenue in Brooklyn?

5 A: So --

6 ALJ STECURA: Sir, can you put the document to  
7 side, it's not admitted.

8 MR. GEYLIK: Okay.

9 A: The building where I live is a condominium, we don't  
10 have, per se, a management company. So the board members that  
11 live in this building, they participate in the management. People  
12 that have offices that have some knowledge in real estate  
13 volunteer to do things in the building, that's why I'm listed as a  
14 managing agent. But it's not a management company. We just pay  
15 our bills and we do involve when something needs to be done.  
16 That's the limit of my responsibilities at 37 West End Avenue.

17 Q: Okay.

18 A: We don't have a management company. People that live in  
19 the building are board members. We take on some duties to  
20 minimize our maintenance expense.

21 Q: Okay.

22 A: So I really don't understand how it is relevant --

23 ALJ STECURA: Okay. Okay.

24 Q: So in 37 West End Avenue there is no superintendent for  
25 that building?

1 MR. FAVILUKIS: Objection, Your Honor.

2 ALJ STECURA: Why is that relevant? We are talking

3 --

4 MS. JOSEPH: Well, because he's saying that he  
5 doesn't know the requirements, so I want to know, he is  
6 listed as the managing agent. He went and explained. Does -  
7 - is there --

8 ALJ STECURA: We are limiting it to the building  
9 that's at issue here, not his own residence.

10 MS. JOSEPH: Right. But it's the basis of his  
11 knowledge as to what the requirements are, Your Honor. If  
12 he's dealing with the superintendent on 37 -- I'm sorry.  
13 Yeah, 37 West End --

14 ALJ STECURA: I just said it's not relevant.

15 MS. JOSEPH: Oh, okay. Fine.

16 Q: Okay. And you -- company that you are president of,  
17 MGNY, provides consulting services to other building owners?

18 MR. FAVILUKIS: Objection, Your Honor. This is the  
19 third time I've -- this -- this question has been asked at  
20 least twice before. I've said it's not relevant to whom MGNY  
21 provides services.

22 MS. JOSEPH: Right. It was objected to. What I'd  
23 like to know if his ability --

24 ALJ STECURA: Sus -- sustained.

25 MS. JOSEPH: Okay. Sustained. That's fine, Judge.

1 Q: Okay. Let's move on to -- let me go to Chlapek, Remy  
2 for short if -- if it's -- if that works. You testified that you  
3 asked Remy to assist with the shoring because he owed you rent,  
4 right?

5 MR. FAVILUKIS: I believe that is not what was  
6 testified to, so I would ask for that to be --

7 ALJ STECURA: Are you objecting?

8 MR. FAVILUKIS: I object, Your Honor, yes. I  
9 believe that's not what was testified to.

10 ALJ STECURA: Okay.

11 MS. JOSEPH: Okay.

12 ALJ STECURA: If you could cite to what you're  
13 referring to. Thank you.

14 MS. JOSEPH: I'm -- I'm -- I'm going to find it,  
15 Judge.

16 ALJ STECURA: Great.

17 MS. JOSEPH: Okay. Okay. So page 927, it starts  
18 on top. I mean, I don't want to read the whole page, Your  
19 Honor, but the question is, "Previously there was testimony  
20 about Mr. Chlapek doing some work with the shoring. Do you  
21 recall that? The answer is, "Yes." And I'm continuing on  
22 the same page below. "Yes. Remy -- so Remy owed rent" --

23 MR. FAVILUKIS: I'm sorry, what line?

24 MS. JOSEPH: Same page, 927 on the bottom. "So  
25 Remy owed --

1 MR. FAVILUKIS: What -- what -- I -- I apologize.  
2 What line on 927?

3 MS. JOSEPH: 20.

4 MR. FAVILUKIS: Okay.

5 MS. JOSEPH: "So Remy owed rent for many months and  
6 he lost his job so he said, please, let me help you, you  
7 remove some money from the rent that I owe you."

8 Q: Okay. So the question was, you testified that you asked  
9 Remy to assist with the shoring because he owed rent?

10 MR. FAVILUKIS: I object, because that's not what  
11 this says. And that was the reason for my --

12 ALJ STECURA: Sustained.

13 MR. FAVILUKIS: Thank you, Your Honor.

14 MS. JOSEPH: Okay. Let me move to 928 on top. The  
15 question is, "Did he do that for free?" "No, I -- for that  
16 one day of work, I removed one month of rent, whatever he  
17 owed me." So the question was in relation to Remy assisting  
18 with the shoring and I -- I could go back to 927, "What -- do  
19 you know what was the extent of the work that Mr. Chlapek  
20 did?" "Just helping --

21 MR. FAVILUKIS: What line, I'm sorry?

22 MS. JOSEPH: 11.

23 MS. JOSEPH: "Just helping, bringing the material,  
24 removing the debris, putting them in the -- assisting to the  
25 general. He was assisting people that work for the general

1 contractor." And on page 928, he's saying, "For that rent --  
2 for that day of work, I removed one month of rent, whatever  
3 he owed me."

4 Q: So, again, the question was, you testified that you  
5 asked Rami to assist with the shoring?

6 MR. FAVILUKIS: Objection, Your Honor.

7 ALJ STECURA: Yeah.

8 MR. FAVILUKIS: The -- the -- the quote is, from  
9 what you were reading and then omitted, starting at line 20  
10 on page 927. Answer, "Yeah. So Remy owed rent for many  
11 months and he lost his job so he said, please let me help you  
12 and you remove some money from the rent that I owe you. I  
13 said, no problem. You can help. Whatever they tell you to  
14 do, you feel free to help. So he was bringing the  
15 construction material to the second floor, holding wood while  
16 they were screwing the screws or installing --

17 ALJ STECURA: Okay. That -- that's suffices to --  
18 the point is who asked --

19 MR. FAVILUKIS: The request was from Chlapek.

20 ALJ STECURA: Right.

21 MR. FAVILUKIS: Thank you, Your Honor.

22 ALJ STECURA: Yes.

23 MR. GEYLIK: It's --

24 MR. FAVILUKIS: No.

25 Q: Okay. So let me ask you, to clarify. Mr. Chlapek did

1 the work we described on his own or did you ask him to assist?

2 MR. FAVILUKIS: Objection, Your Honor. The answer  
3 is in the record.

4 ALJ STECURA: Can -- ask the question, he can  
5 answer the question.

6 MS. JOSEPH: I ask the question?

7 ALJ STECURA: Yes.

8 Q: Yeah. Did Mr. Chlapek just did this work on his own  
9 with reference to helping, bringing material and moving debris,  
10 putting in time, assisting the general contractor, or did you ask  
11 him to help out?

12 A: He offered his help.

13 Q: Right. And what was your response?

14 A: If you need work, I will let you do the work in the  
15 building.

16 Q: Okay. Specifically with the shoring issue?

17 A: Correct.

18 Q: Okay. Did accept his help? Did you -- did --

19 A: Yes.

20 Q: I'm sorry, I withdraw that.

21 A: Yes.

22 Q: Did you tell him to assist with that work?

23 A: I accepted his offer.

24 Q: You accepted his offer. And in return you removed one  
25 month of rent, --

[03:18:23]

[00:50:44-2]

1 A: This is correct.

2 Q: -- whatever he owed you?

3 A: Yes.

4 Q: Okay. You also testified, other than the shoring work,  
5 that Remy did work for you at the building, like paint the stairs,  
6 paint the metal gate, small stuff around the building, right?

7 A: This is correct.

8 Q: Okay. So you hire Remy to do odd jobs around the  
9 building although you also testified that he's a drug dealer and  
10 drug dealers are dangerous?

11 MR. FAVILUKIS: Objection, Your Honor. Number 1,  
12 my client did not hire Remy. It's been testified now, on  
13 cross and earlier on direct, that it was Mr. Chlapek who  
14 asked for the work.

15 ALJ STECURA: Yes. But he also -- Mr. Geylik just  
16 testified that he accepted the offer --

17 MR. FAVILUKIS: Yes.

18 ALJ STECURA: -- to do the work. So --

19 MR. FAVILUKIS: Yes. It -- I apologize. From the  
20 testimony it sounded like it was a favor. That -- that's me  
21 characterizing the testimony, and I apologize for that. The  
22 second objection is I'm not sure that it's ever been  
23 testified at any -- at any point by either Mr. Geylik or Mr.  
24 Chlapek as to when Mr. Geylik became aware of Mr. Chlapek's  
25 drug --

1 ALJ STECURA: You can clean that up on rebuttal if  
2 you so wish to do so.

3 MS. JOSEPH: Oh, that's fine. Yeah, yeah, that's  
4 fine.

5 ALJ STECURA: You may ask your question, Ms.  
6 Joseph.

7 MS. JOSEPH: Okay. Just one second.

8 Q: Okay. So believe it -- I -- I believe my question was,  
9 you testified that Remy did work for you around the building, like  
10 paint the stairs, paint the metal gate, small stuff around the  
11 building -- I'm sorry, that was answered. My question was, so you  
12 hire Remy to do odd jobs around the building, although you're  
13 claiming he's a drug dealer and drug dealers are dangerous?

14 A: This is absolutely correct. And that was in response to  
15 the fact that Remy brings a lot of people to the building that ask  
16 him to give the key, and he's asking me for the key, and I don't  
17 want drug dealers that bring and buy and sell drugs from the  
18 building to have extra keys. This is exactly what I said.

19 Q: Okay. I'm not asking you about any keys right now. I  
20 said --

21 A: But --

22 ALJ STECURA: Right. But you opened the door to  
23 the answer, so.

24 MS. JOSEPH: Well, I don't see that his answer is  
25 responsive.

1 ALJ STECURA: Tailor -- tailor your question.

2 Q: My -- my question is, you hire Remy to do odd jobs  
3 around the building, your building, right, while you also  
4 testified that Remy is a drug dealers and drug dealer dangerous.  
5 How do you explain that?

6 A: I explained to you just before and you asked me the same  
7 question again. Remy, bringing people to buy or sell drugs in the  
8 building. I don't want drug dealers who are dangerous to be in my  
9 building because I have employees. I have other tenants.

10 ALJ STECURA: Right. Okay. So, Mr. Geylik, --

11 Q: Okay.

12 ALJ STECURA: Mr. Geylik, maybe, I think, that  
13 there's a misunderstanding of the question. So if you could  
14 just ask your question, perhaps, in two parts.

15 MS. JOSEPH: Okay. I'll try, Your Honor.

16 Q: So I'm gathering from your answer that it's not that  
17 Remy is dangerous because he's -- he -- he's a drug dealer, it's  
18 because there's other people that he brings in the buildings -- in  
19 the -- into the buildings; is that right? Am I getting it right?

20 A: Partially. So when Remy under influence, I don't want  
21 to be around him. So when he is sober, he's okay. When he's  
22 under influence, I don't want to be around him.

23 Q: Okay.

24 A: He's unpredictable.

25 Q: Okay. So when he does stuff in the building for you,

1 like paint the stairs and -- and do other stuff, and paint the  
2 metal gate, and help with the shoring, and -- and, you know, you -  
3 - you're -- you're able to have him do all that work, that doesn't  
4 bother --

5 A: When he's sober, yes.

6 Q: That doesn't bother you?

7 A: He's okay.

8 Q: I see. Okay. We also look to the text that he repaired  
9 the bear -- he made repairs to the --

10 MR. GEYLIK: Your Honor, I constantly get faces  
11 from Zach that either smiles or --

12 ALJ STECURA: Okay. Stop. Stop.

13 MR. GEYLIK: Yeah.

14 ALJ STECURA: Okay.

15 MR. GEYLIK: Zach, you have to stop.

16 MR. FAVILUKIS: No, please.

17 ALJ STECURA: If you are here --

18 MS. JOSEPH: I can see him.

19 ALJ STECURA: -- as a member of the public, I  
20 expect you all to act with integrity. And if you are -- I --  
21 if there is another complaint, I will ask people to leave,  
22 okay? Thank you.

23 Q: So we saw part of the text -- one of the texts, I should  
24 say, he did repairs to the bathroom window after Judy complained  
25 to you, but he didn't ask for money for that one, remember that?

1           A: I do not remember the details; I do know that he did  
2 some work.

3           Q: Okay. And he shoveled snow from the front of the  
4 building for you, and he texted you not to worry about it because  
5 he did it?

6           A: I do recall that he did but I didn't ask him to do that.

7           Q: Okay. Now, you testified that Remy has prior  
8 incarcerations?

9           A: Yes.

10          Q: Did you hire a private investigator to investigate Remy?

11          A: Yes, I did order police -- not police report, the -- no.  
12 Actually, it's a pri -- it's a public data. It's -- it's online.  
13 When you search his name, his in -- incarcerations are coming up.

14          Q: Okay. Did you -- the quest --

15                   MR. FAVILUKIS: I'm just -- I think he  
16 misunderstood the question.

17                   MS. JOSEPH: All right. So I'll ask it again.

18                   MR. FAVILUKIS: Yeah.

19          Q: My question is, did you hire a private investigator to  
20 investigate him?

21          A: I have report from private investigator, but I don't  
22 think that private investigator investigated him on my behalf.

23          Q: Okay. So you testified that you saw reports about prior  
24 incarcerations?

25          A: Yes.

1 Q: Online?

2 A: Online, and there is a report that shows his charges.

3 Q: Okay. And the reports you're just referencing, those  
4 are from like nine years ago, right?

5 A: No, recent. Not nine --

6 Q: How recent is that?

7 A: I -- I would like you to clarify the question. Are you  
8 asking about the report or his conviction? What --

9 Q: No, I'm asking --

10 ALJ STECURA: And I'm -- I'm -- I don't know why  
11 this is relevant, so I'd like to get somewhere --

12 MS. JOSEPH: Well --

13 ALJ STECURA: -- to relevancy soon.

14 MS. JOSEPH: Right. Well, it's -- number 1, is  
15 because he was asked about --

16 ALJ STECURA: Who was asked?

17 MS. JOSEPH: Mr. Geylik was asked on direct about  
18 Remy's prior incarcerations, and I could -- I could find the  
19 page, Your Honor. And I believe the Court had asked whether  
20 those are from the inquiry period, and the answer was yes,  
21 they're from the inquiry period, which I don't -- that's not  
22 the information I have. My information, I have that they're  
23 old report -- they're old prior incarcerations. And --

24 MR. FAVILUKIS: There are two pending --

25 MS. JOSEPH: -- that -- that information -- that in

1 -- incarcerations, that means incarceration.

2 ALJ STECURA: So incarceration is -- my  
3 understanding, is that someone is found guilty and is --

4 MS. JOSEPH: Someone --

5 ALJ STECURA: -- sentenced.

6 MR. FAVILUKIS: In prison.

7 MS. JOSEPH: Right. That --

8 ALJ STECURA: There's a difference --

9 MS. JOSEPH: -- the time in -- in -- but that was  
10 the term that was used.

11 MR. FAVILUKIS: No.

12 MS. JOSEPH: Remy has prior incarceration.

13 ALJ STECURA: Okay. So do you have a page site for  
14 that?

15 MS. JOSEPH: 942, Your Honor.

16 ALJ STECURA: Okay.

17 MS. JOSEPH: Let me see.

18 ALJ STECURA: I'm actually going to ask the witness  
19 to step out for a moment. Thank you, Mr. Geylik. Thank you  
20 for your patience. I'm going to pause the record.

21 MS. JOSEPH: Yeah. And -- and if I can, I just  
22 want to just --

23 ALJ STECURA: Just wait, please.

24 MS. JOSEPH: Yeah. Okay.

25 [OFF THE RECORD]

1 [ON THE RECORD]

2 ALJ STECURA: All right. Oh, sorry. Mr. Geylik,  
3 if you could have a seat, we're back on the record.

4 MS. JOSEPH: Oh, I'm sorry.

5 Q: Okay. Okay. We looked at the texts between yourself  
6 and Mr. Chlapek, Mr. Geylik. He -- I -- I'll refer to him as  
7 Remy. Remy asked you to open the door for him a few times, during  
8 the inquiry period. I'm referring strictly to the inquiry period.  
9 When Thomas wasn't around to open the door for him, right?

10 A: Perhaps.

11 Q: Okay.

12 A: I don't remember the date.

13 Q: Okay. On November 18, 2024, he texted you that he  
14 couldn't get in. Is that right or you need to look at the text?

15 A: If it's in the text, I trust you.

16 Q: It's in the text.

17 A: Okay.

18 Q: And, again, on November 23rd, he, again, texted you that  
19 he couldn't get in and asked if you can open the door?

20 A: Okay.

21 Q: Okay. Now, on February 28th he texted you that he was -  
22 - had to climb the ladder -- the ladder, I think he used the word  
23 drunk, and he doesn't want to do that. And you ended up giving  
24 him a key or replacement key on the 28th of February; isn't that  
25 right?

1 A: I believe it was not his only key. They exchanged the  
2 keys with Rio, his girlfriend.

3 Q: Okay.

4 A: So whenever he didn't have a key, Rio had a key.

5 Q: My question is this, on -- on February 28, 2025, isn't  
6 it true that you gave him a key after he texted you that he  
7 doesn't want to climb -- keep climbing the ladder drunk?

8 A: It is -- if it's in the messages, I believe so. Yeah, I  
9 -- I need to see. I -- I don't know where you --

10 Q: Okay. No, fair enough. I don't know if you're able to  
11 see it.

12 A: There is a video, a recent video that --

13 ALJ STECURA: So, for the record, Ms. Joseph has  
14 given exhibit -- Petitioner's Exhibit 37 to Mr. Geylik.  
15 Where would you like him to look?

16 MS. JOSEPH: I think the numbers -- luckily they  
17 are numbered, so page -- page 8 up on top, I believe. Let me  
18 go to it quickly.

19 Q: If you could take a look. It -- it starts with, "Hi,  
20 Mike." Do you see that in gray?

21 A: Okay. Yeah.

22 Q: Yeah. So he said, "Due to me not having a key two days  
23 ago, 3:00 AM I was out on a date. I had to climb the ladder roof  
24 to go through the window. I had a few drinks. I really don't  
25 want to be climbing ladders 3:00 AM drunk." Now I'm not reading

1 the whole thing for -- for time because it's not that relevant.  
2 But below it, on the same date, I think it's the same date. Maybe  
3 it's not, I don't know. I think it's February 28th. It says,  
4 "Thank you, Mike, for giving me a new key to front door of 109  
5 East 9th Street." And you're saying, "You're welcome. Please  
6 don't lose it." Is that right?

7 A: Yeah.

8 Q: You gave him a key on that date, right?

9 A: Okay.

10 Q: Okay. And finally, after that key broke, on April 7th,  
11 and that's the next to last page, page 10, it says, April 7th,  
12 "Key received by 2-D, Remy." Right? So that is the last that he  
13 received the key, April 7th?

14 MR. FAVILUKIS: Where -- where is that?

15 Q: Page 10 up on top there's a text that he's confirming  
16 key received by 2-D Remy.

17 A: Yeah.

18 Q: Okay. Now, you testified that you see Remy's key on a  
19 key chain. How -- how are you able to see -- other than inside  
20 the building, are you able to see the key chain from a distance?

21 A: When he holds it in his hands, yes.

22 Q: When he's on the street, you're able to see it?

23 A: Yeah. He constantly holds it in his hand all the time.

24 Q: Okay. So how -- how -- how do you see that? You see it  
25 through your screen through the -- the -- the cameras?

[04:11:56]

[01:44:17-2]

1 A: Yeah. I have multiple cameras outside of the building.

2 Q: Okay. And -- so you ow -- how many cameras do you have  
3 at the building, by the way?

4 A: I don't know. Multiple.

5 Q: Multiple?

6 A: Yeah.

7 Q: More than 10?

8 A: More than 10, yeah.

9 Q: Inside the building? I'm talking about --

10 A: When you are referring to the building, --

11 MR. FAVILUKIS: Objection, Your Honor. Is this  
12 relevant to this proceeding?

13 MS. JOSEPH: Oh, well, he just said that he sees  
14 him on the cameras.

15 MR. FAVILUKIS: We have videos from the cameras.

16 ALJ STECURA: Mr. Favilukis. Can you get to why  
17 the multiple cameras are relevant, if they are.

18 MS. JOSEPH: I'm just going to move on to another  
19 question.

20 MR. GEYLIK: Thank you.

21 Q: You said --

22 MS. JOSEPH: You are welcome.

23 Q: You said you see them on the screens. Are you also able  
24 to see the cover -- camera feeds on your -- on your phone?

25 A: I am able to access where -- if I need to, yes.

1 Q: Okay. So at any time, day or night, you are able, is it  
2 -- is it -- is -- it goes to -- in other words, it's 24 hours a  
3 day that you're able to see how this -- the -- the -- the -- the  
4 cameras that's in the building? It doesn't stop at night? It's  
5 not limited to certain amount of time, is it?

6 A: The camera is operational 24/7. Depending on the  
7 location of the camera, it has different setting for recording and  
8 saving.

9 Q: For recording and save?

10 A: Yeah.

11 Q: Okay. So some of them is recorded and saved, some of  
12 them just runs and it records on top of -- of itself as a -- as a  
13 loop, so to say?

14 A: You are partially correct.

15 Q: Partially correct.

16 A: Yeah.

17 Q: Let's move on. Okay. You testified, previously, I  
18 believe it was today, that you did the -- the probing in the  
19 building or whatever word you used because you needed to see --  
20 I'm sorry. You -- you said something about you -- you did it in  
21 vacant rooms to -- to be the least disruptive -- disruptive to the  
22 tenants, something around there?

23 A: Clarification, I didn't do it. I was required by the  
24 Building Department to explore and identify the structure and  
25 stability that was needed to file the plans to fix the building as

1 per emergency work order.

2 Q: Okay.

3 A: And we've discussed that --

4 ALJ STECURA: Okay. Mr. -- Mr. Geylik.

5 MR. GEYLIK: Yeah.

6 ALJ STECURA: That's enough. Go ahead, Ms. Joseph.

7 Q: Okay. And if you recall, your engineer testified then  
8 on the date that the DOB issued the violations, on August 14, '24  
9 he inspected the building with you and Philip Ng. Do you remember  
10 that? I mean, I can --

11 A: I do remember --

12 Q: Okay.

13 A: -- presence of the engineer with the DOB, correct.

14 Q: Okay. That was -- that was August 14, 2024. Now -- so  
15 you -- you went into the vacant rooms because you testified those  
16 were done on the vacant rooms; is that correct? Not occupied  
17 rooms, right?

18 A: Correct.

19 Q: Okay. Now from the time that exploration or probed  
20 areas were open, in November, 2024 until March, 2025, those areas  
21 were not sealed, right?

22 A: This is correct.

23 Q: Okay. And when HPD inspectors visited the building, I  
24 should say investigator and CPM, you provided access and you went  
25 into the vacant rooms with them while they were inspecting?

1 A: Correct.

2 Q: Okay.

3 A: Oh, no, not correct. So apparently, I learned later  
4 that there was an inspection in -- initiated by the tenant's  
5 representative and the tenants when I was not in New York. And  
6 there was -- week prior to me meeting with the HPD, there was  
7 another inspection conducted by the same inspectors without me  
8 being present. I was present during the second inspection.

9 Q: Yes, that's what I was asking about. The second  
10 inspection.

11 A: Yes.

12 Q: I -- I appreciate your answer. On March 19th?

13 A: Yes.

14 Q: The first one was March 11th. This is March 19th I'm --  
15 I'm asking.

16 A: Okay.

17 Q: So you were with the -- with the HPD personnel and DOB  
18 personnel in the rooms, right?

19 A: So we were arranged to have an inspection with DO --  
20 with HPD by the request of the certificate of no harassment due to  
21 based on the allegations. And unbeknownst to us, it was  
22 orchestrated that not only the HPD comes in, but also 839 Building  
23 Department inspector showed up from different city -- from  
24 different units within the Building Department.

25 Q: Were you there in the rooms with them --

1 A: I was --

2 Q: -- on March 19?

3 A: -- when this --

4 Q: Yes or no?

5 A: Yes, I was --

6 Q: Yes.

7 A: -- there within the rooms with them.

8 Q: Okay.

9 A: But the inspection was carried out only with HPD and I  
10 was strict --

11 Q: Okay. That was not the question.

12 A: -- to bring in DOB --

13 ALJ STECURA: Okay. Mr. -- Mr. Geylik.

14 MR. GEYLIK: Yeah.

15 ALJ STECURA: That's not responsive.

16 Q: Okay. And when the HPD inspectors visit -- visited the  
17 building, on June 25th this year, you provided access and you went  
18 into vacant rooms with them?

19 A: Yes, this is correct.

20 Q: Okay. And you were aware that there were issued  
21 violations for units 4-A, 4-C, 3-A, right?

22 A: Yes, I'm --

23 Q: Yes.

24 A: -- aware.

25 Q: And today, as you sit here, is there any change in the

1 vacant rooms with the explored or -- or probed areas from when it  
2 was done in November, 2024?

3 A: There is no change.

4 Q: There is no change. Okay. So now in April 7th, this  
5 year, you had your architect write a letter to DOB that the work  
6 done in those room were compliant with RCNY. That's in the letter  
7 101-14.

8 MR. FAVILUKIS: What letter?

9 MS. JOSEPH: Where -- the letter is, F6. It's your  
10 exhibit.

11 Q: And -- and it says, "We are in completion of the work.  
12 The partition is to be restored to original conditions." So my a  
13 -- my question is, that was -- based on your testimony, that's not  
14 true. Nothing was -- the partitions or the exploration or the  
15 proba -- probes areas were not restored to original conditions?

16 A: Ms. Joseph, you are an educated person.

17 ALJ STECURA: No. Mr. Geylik.

18 MR. GEYLIK: Yeah.

19 ALJ STECURA: I'm going to stop you right there.  
20 Answer the question.

21 A: The probes were not closed, not because I don't want to  
22 close them. We are required by the Building Department to  
23 continue to monitor those open areas. Also, the violations that  
24 were given to me in error by the DOB were issued in error.

25 Q: Okay.

1           A:    Prior to ex -- opening or providing an explanatory  
2 opening for an engineer and the Building Department, I consulted  
3 with the zoning attorney, I consulted with an architect and with  
4 the DO --

5                   MS. JOSEPH:   Judge, I move to strike.  It's not --  
6           my --

7                   ALJ STECURA:  Yeah.  Stop.  You --

8                   MS. JOSEPH:  It's not responsive to my answer.  
9           It's going to go on for however it's going to go on.

10           Q:    My question was simply; those areas were not restored to  
11 original condition; isn't that right?

12           A:    They are not required to be restored.

13           Q:    I'm not asking if they are required.

14                   ALJ STECURA:  That's not the question.

15           A:    They were not restored.  They still --

16           Q:    Okay.  Thank you.

17           A:    Yeah.

18                   MS. JOSEPH:  That's it.  okay.  I have a few last  
19 questions, Your Honor.  Am I within my time?  Pretty good.

20           Q:    With regard to the work that needs to be done on the  
21 3rd, 4th, 5th floors, did you offer any -- did you offer the  
22 tenants to temporary relocate them so you could do the work?

23           A:    There was a proposal by the tenants and tenant's  
24 representatives that was extremely complicated, burdensome, and  
25 not acceptable.

1 Q: Excuse me.

2 A: And we offered temporary relocation based on certain  
3 conditions, but our proposal was rejected.

4 Q: Okay. So --

5 A: And we had a counter proposal that is completely not  
6 realistic.

7 Q: I -- I'm -- I'm not trying to ask you about any  
8 negotiations. I'm asking you, did you offer to temporary relocate  
9 the tenants so the work could be done? Yes, or no?

10 MR. FAVILUKIS: Objection, Your Honor. The answer  
11 was just given.

12 ALJ STECURA: Overruled.

13 MR. FAVILUKIS: Okay.

14 Q: Yes or no?

15 A: One more time, your question?

16 Q: Did you offer to temporary relocate the tenants to  
17 effectuate the work on the 3rd, 4th, and 5th floor?

18 A: There was a conversation pertaining to temporary  
19 locations, correct.

20 Q: Did you explore other means of doing the work on the  
21 3rd, 4th, 5th floor that were going to be less disruptive to the  
22 tenants without having them -- all of them -- without having all  
23 of them leave the building?

24 A: We explored multiple options with Building Department.  
25 And you've never been to the building. The building is such where

1 it's 30 feet wide and 24 feet deep. The floor plate of the  
2 building is 720 square feet with the large staircase in the  
3 middle, which is approximately 14 feet, then there are two narrow  
4 corridors, and then there are units. By touching the frame in  
5 this building, with the building being occupied, it would be  
6 criminal --

7 Q: Okay.

8 A: -- to do this work because it's so dangerous. If we,  
9 somehow, find a way to shore up the building in the residential  
10 portion of the building, the shoring would have to be installed  
11 inside of all of the units, including the occupied, otherwise,  
12 it's impossible.

13 ALJ STECURA: Okay, Mr. Geylik?

14 MS. JOSEPH: Can I --

15 ALJ STECURA: Please, take it down.

16 MR. GEYLIK: Yeah.

17 Q: Okay. I'm just going to be specific, a few last  
18 questions. Did you explore, for example, not having any tenants  
19 on the 5th floor so you could shore up the 5th floor and work on  
20 that floor, and then hopefully work on the roof and -- and move on  
21 from there? Did you explore that option --

22 A: Yes, we explored the --

23 Q: Wait. Wait. I'm not done. To do it piecemeal?

24 A: Yeah. We explored. While the filing with the DOB could  
25 be possible, but physically doing this type of construction would

1 be multiple times more expensive and multiple times more dangerous  
2 because the low -- when you describe this -- this type of  
3 scenario, in order for us to safeguard the lower floors, the  
4 shoring has to be installed. So let's assume that we do the work  
5 on the roof on the 5th floor, the lower floors would have to be  
6 properly secured. But the floor plate of this building is 720  
7 square feet only, and the staircases in the middle. So to install  
8 the shoring, we do have to go inside of the units, either east to  
9 west or north to south.

10 Q: I understand. I understand. I asked you about the --

11 A: So it's -- theoretically it's possible, but I spoke to  
12 contractors. It's physically impossible to do that.

13 Q: Okay. So -- I'm sorry. What would you just sentence --  
14 the last sentence? You said something. It's possible or it's  
15 impossible?

16 A: Theoretically. Theoretically, --

17 Q: Theoretically.

18 A: -- it could be possible.

19 Q: It could be possible.

20 A: But when you talk to people that actually specialize in  
21 construction and engineers, everybody says it's so dangerous that  
22 nobody wants to do that.

23 Q: Okay. I understand.

24 A: I hope you do.

25 ALJ STECURA: Mr. Geylik, watch yourself. Not

[04:23:53]

[01:56:14-2]

1 appropriate.

2 Q: Did you make any offers to the tenants to permanently  
3 leave out of the building?

4 MR. FAVILUKIS: Objection, Your Honor. This is  
5 getting into the negotiations of settlement.

6 MS. JOSEPH: The -- the -- the -- the tenants are  
7 not parties to this -- to this -- to this proceeding. It is  
8 the city. And -- and --

9 MR. FAVILUKIS: The offer was made by me, not by  
10 Michael.

11 MS. JOSEPH: You're testifying.

12 ALJ STECURA: You're going into the settlement.

13 MS. JOSEPH: Yeah. This is not discussions with  
14 the city -- it's not discussions with the party. I'm just --

15 ALJ STECURA: Can -- can you repeat the question so  
16 I can hear it again?

17 MS. JOSEPH: Yeah.

18 Q: Did you make offers with the tenants to permanently move  
19 out the building?

20 A: I personally didn't.

21 Q: Okay. Did -- did your attorney, -- did -- I mean, did  
22 anyone in your direction did so?

23 MR. FAVILUKIS: Objection, Your Honor. It's  
24 getting into -- this is -- those conversations were had for  
25 settlement purposes.

1 ALJ STECURA: Okay. And, also, how would it -- is  
2 that relevant to the allegations in the petition?

3 MS. JOSEPH: Well, it's relevant in the way that,  
4 you know, Mr. Geylik is testifying that he's -- you know, he  
5 has to do this work and he's ordered to do this work. But  
6 I'm trying to decipher whether he found -- found other ways  
7 to do this work. But I don't -- I don't have the allegations  
8 in front of me.

9 ALJ STECURA: I have them in front of me.

10 MS. JOSEPH: Okay. I don't see them right now.

11 ALJ STECURA: Yeah, that's related -- your question  
12 is whether he offered to move them out permanently?

13 MS. JOSEPH: Permanently, yes.

14 ALJ STECURA: He can answer the question.

15 A: I don't know.

16 MS. JOSEPH: You don't know. Okay. That -- I have  
17 no further questions, Judge. I'm trying to comply with the  
18 timeline because it'll be best if we could just get out of  
19 here today.

20 ALJ STECURA: Agreed.

21 MR. FAVILUKIS: Thank you. I'll --

22 ALJ STECURA: Yes. Ready?

23 **REDIRECT EXAMINATION OF MR. GEYLIK**

24 **BY MR. FAVILUKIS:**

25 Q: I want to start with last. First, Ms. Joseph asked if

1 anything had changed in the rooms that were probed. Michael, he's  
2 -- what -- what do you understand in the context of probing  
3 completion of work to mean? Do you think that that means the  
4 completion of the probing? Do you think that means completion of  
5 the repair work for which the probing was required? What do you  
6 think completion of work means?

7 MS. JOSEPH: Objection, Your Honor. I specified  
8 about the letter, that's F6, and I specified that the -- what  
9 was cited in that letter is RCNY 101-14. And it is part of  
10 the letter. I could put the statute in for completion but I  
11 -- I -- I won't deal with it right now. I'll deal with it  
12 with my closing statement. Mike, --

13 MR. GEYLIK: Sure.

14 MS. JOSEPH: -- can I just object? Thank you.

15 MR. GEYLIK: Yeah.

16 MS. JOSEPH: My point is that it's not -- I didn't  
17 ask what was his understanding. I asked what was the  
18 architect, the -- the -- according to what his architect  
19 described before DOB, that it's in complete -- it's in -- I'm  
20 sorry. The work is compliant with RCNY 101-14 when the  
21 completion of work, the partitions is to be restored to  
22 original condition. And I asked whether it was, and the  
23 answer was no, it was not.

24 MR. FAVILUKIS: So you -- you misquoted the letter.

25 MR. GEYLIK: Yes.

1 MR. FAVILUKIS: The letter -- stop. The letter was  
2 not written by Michael and that was not your question.

3 MS. JOSEPH: I said architect.

4 MR. FAVILUKIS: The letter was not written by  
5 Michael, and that was not your question. The question that  
6 you asked was whether or not the apartments had changed since  
7 the inspection. You went on about the HPD inspections and  
8 then whether anything had changed since the probing was  
9 completed. The quote in the letter that you referred to is  
10 the scope of work was confined to limited areas in the vacant  
11 units conducted in accordance with one -- RCNY 101-14, which  
12 allows the temporary removal of any portion of a non-load  
13 bearing, non-fire rated partition without a permit as long as  
14 limited to the lesser 50 percent of a given wall, 445 square  
15 feet in an area -- in the area and where the completion of  
16 work, the partition is restored to its original condition.

17 MS. JOSEPH: Correct.

18 MR. FAVILUKIS: Now I'm simply asking my client  
19 what he understands completion of work to mean, I'm not  
20 referring to the letter.

21 ALJ STECURA: Oh, yes, the objection is overruled.  
22 If -- if you're able to answer, you can answer, Mr. Geylik.

23 Q: What do you understand completion of work to mean in the  
24 context of probing? Do you believe it to mean --

25 ALJ STECURA: Okay. One question.

1           A:    So since the building needs extensive structural repair  
2 work, the completion would mean it has to be brought to the proper  
3 state where it's safe again and nobody put -- nobody's in danger,  
4 that would be completion.

5           Q:    Okay. Can you -- do you still have the I-cards there,  
6 the exhibit?

7           A:    Yeah.

8                   ALJ STECURA: Which exhibit is that?

9                   MR. FAVILUKIS: It was -- it was Exhibit 3. Res --  
10           Petitioner's Exhibit 3.

11          Q:    So Mr. --

12          A:    Yeah.

13          Q:    -- Geylik, just let me know when you have one.

14          A:    Yeah.

15          Q:    And just go ahead and flip to the same page that Ms.  
16 Joseph was asking about. I think it was page 3.

17          A:    Yes.

18          Q:    Okay. And so Ms. Joseph was asking you whether or not  
19 apartment 3-B is designated on the I-cards. Do you remember that?

20          A:    Yes.

21          Q:    And I think we established that nowhere on the I-cards  
22 does it say apartment 3 --

23                   MS. JOSEPH: Objection. This is -- he is  
24           testifying.

25                   MR. FAVILUKIS: I'm forming my question.

1 MS. JOSEPH: He said we established that. Go  
2 ahead. I'm sorry. I withdraw it.

3 Q: I think it was established that nowhere on the I-cards  
4 is there -- does it say, here's where apartment 3-B is located.  
5 How many apartments are on the 4th floor, Michael?

6 A: There are no apartments. There are single room  
7 occupancy.

8 Q: How many single room occupancy units are on the 4th  
9 floor?

10 A: The top floor is four.

11 Q: Is the top floor the 4th floor, am I referring to it  
12 correctly?

13 A: So the top floor is the 4th residential. It's confusing  
14 and different records have different types of units. So the top -  
15 -

16 Q: So let's -- let's -- so -- so that we're not confused by  
17 the terminology, the top floor, you're saying, has four SRO units?

18 A: Yes.

19 Q: What's -- how many SRO units are on the floor below the  
20 top floor?

21 A: It's -- right now it's four, the way it's legally  
22 supposed to be.

23 Q: Okay. And the I-card say there's supposed to be three;  
24 is that correct?

25 A: Yes. And there is an ECB violation country to that.

1 MS. JOSEPH: Objection, Judge. Again, it's  
2 questions about the cross and I referred literally to the  
3 page, to the I-cards, to the floor that is as it is on the  
4 record, not about anything else. So --

5 MR. FAVILUKIS: So I'm getting clarity.

6 Q: So I want to ask about the DHCR registrations. Okay?  
7 In your experience working at MGNY and being an intermediary  
8 between HPD and developers of affordable housing, do you come  
9 across questions about DHCR registrations?

10 A: If I do, I refer to somebody that's not at MGNY.

11 Q: Okay. Do you know, and it's okay to say you don't know.  
12 Do you know, are deregulated apartments registered with DHCR?

13 A: I don't know.

14 Q: Okay. Do you know if temporarily exempt apartments are  
15 registered with DHCR?

16 A: I don't know.

17 Q: Okay. Do you know if SRO units are typically considered  
18 temporarily exempt from registrations?

19 A: I don't know.

20 Q: Okay.

21 MS. JOSEPH: Objection, Your Honor. This is --

22 MR. FAVILUKIS: No, no. I'm just trying because  
23 there was a --

24 MS. JOSEPH: Yahe, but there was not --

25 ALJ STECURA: Overruled. Overruled.

1 MR. FAVILUKIS: Thank you, Your Honor. Got it.

2 Q: Okay. And it was -- was it -- I want to clarify, was it  
3 your testimony that apartment 3-B or SRO unit 3-B was vacant?

4 A: Yes. It was vacant.

5 Q: Yes. It was or?

6 A: Storage. Yes, it was.

7 Q: It was not occupied?

8 A: It was not occupied.

9 Q: Okay. And it's an SRO unit?

10 A: It is an SRO, correct.

11 ALJ STECURA: Can you raise your voice a bit, Mr.  
12 Geylik. Thank you.

13 Q: Can you pull out the DHCR registrations that Ms. Joseph  
14 gave you?

15 ALJ STECURA: Which exhibit?

16 MS. JOSEPH: 17 is the building, 18 is the --

17 MR. FAVILUKIS: 18.

18 MS. JOSEPH: -- SRO apartments.

19 MR. FAVILUKIS: Thank you. 18.

20 MS. JOSEPH: You're welcome. That's somewhere  
21 else, it went somewhere.

22 MR. FAVILUKIS: Okay. So I'll -- I'll just flip  
23 through the third page, but then I'll really quickly just go  
24 through the others as well.

25 Q: On the third page, this is apartment 2-D, as in dog,

1 correct?

2 A: Yes.

3 Q: Okay. And this is Remy Chlapek's apartment, correct?

4 A: Unit, yes.

5 Q: Unit. Now, I noticed here in the column, it's the third  
6 column from the left that's titled filing date, the date for each  
7 year is the same, July 19, 2023, except for the final year, 2024,  
8 and that date is May 31, 2024. Is that what you're seeing on your  
9 end?

10 A: Yes.

11 Q: Okay. But you bought the building in 2021, is that not  
12 correct?

13 A: Correct.

14 Q: So here it says that in 2019 and 2020, that registration  
15 was actually filed on July 19, 2023; is that correct?

16 A: Correct.

17 Q: So was this apartment not registered with DHCR when you  
18 purchased the building?

19 A: It was not.

20 Q: It was not. And then you -- so did you speak to an  
21 attorney and that attorney was the one that advised you to  
22 register?

23 A: Yes.

24 Q: So you registered an apartment that hadn't been  
25 registered with DHCR before yourself?

1 A: Not myself.

2 Q: Oh, sorry. Who registered it for you?

3 A: I -- I have -- your company did it.

4 Q: An attorney did?

5 A: Yeah.

6 Q: Okay. And is that the same for -- go ahead and flip to  
7 -- okay. I just want to -- I just want to double check that every  
8 apartment was like that and I want to make sure that I understand.  
9 Before you apartments weren't registered with DHCR? You bought  
10 the building --

11 MS. JOSEPH: Objection, Judge.

12 MR. FAVILUKIS: I want to make sure that I clarify,

13 --

14 MS. JOSEPH: Yeah.

15 MR. FAVILUKIS: -- because the -- the implication  
16 was that he --

17 ALJ STECURA: Hold on. Hold on. There's an -- let  
18 him finish the question and you can object.

19 MS. JOSEPH: Okay.

20 Q: The question is, to clarify, before you owned the  
21 building, the tenant's apartments weren't being registered with  
22 DHCR. You bought the building, spoke to an attorney, that  
23 attorney told you to register, and you went back and registered  
24 these tenants as the rent stabilized tenants for these SRO units,  
25 and now you're being -- and you're being accused of harassment by

[04:34:28]

[02:06:49-2]

1 doing that.

2 MS. JOSEPH: Objection. So --

3 Q: Is that how you understand the question?

4 ALJ STECURA: This is argumentative.

5 MR. FAVILUKIS: Sure.

6 MS. JOSEPH: Yeah.

7 MR. FAVILUKIS: I understand.

8 MS. JOSEPH: And -- and -- my --

9 MR. FAVILUKIS: I withdraw my questions.

10 MS. JOSEPH: -- my objection was --

11 MR. FAVILUKIS: I withdraw my question. So can you  
12 pull up Exhibit K4?

13 MS. JOSEPH: Oh, thank you. Thank you so much.

14 MR. FAVILUKIS: And I just want to make sure I get  
15 the page right. I believe -- all right. I think it's page  
16 32, but if you just give me one second, I'm going to double  
17 check. And those are -- just for the record, those are your  
18 texts with Judy Saban that were introduced into evidence by  
19 us, the Respondent.

20 Q: All right. So if you go to page, at the bottom, it says  
21 page 32.

22 A: Okay.

23 Q: Okay. And so the gray text is your -- is -- is -- is  
24 yours or Judy's? At the bottom of page 32, the gray text.

25 A: Yeah, it's Judy's.

1 Q: That's Judy's?

2 A: Yeah.

3 Q: Okay. And she says, "Hello, Michael. I just wanted to  
4 put it out there that if there are any rent lottery units in the  
5 East Village or downtown, or if you can get some kind of update on  
6 the construction of the Domino Sugar Factory, I'm still interested  
7 in moving if the location if the price fits my current financial  
8 needs." Is that what it says?

9 A: Yes.

10 Q: And is the date up there January 13, 2023?

11 A: Yes.

12 Q: Now, I believe when Ms. Joseph was asking you these  
13 questions, there's a little bit of back and forth because I  
14 believe it was being implied that you didn't -- that you then  
15 waited two months to get back to her. And I'm not sure. I don't  
16 want to mischaracterize your questions, but I just want you to  
17 read the text at the top of the next page. Is that your text in  
18 blue?

19 A: Yes.

20 Q: Okay. Can you read that for me.

21 A: "Dear Judy. It is nice to hear from you. Let's set up  
22 a meeting with you and our affordable housing manager sometime  
23 next week, and he will guide you through the process. Are you  
24 available Monday or Tuesday early afternoon? Thank you."

25 Q: And then I'll read Judy's part. "I'm available

1 Tuesday."

2 MS. JOSEPH: Judge, It's -- speaks for itself.  
3 There -- there's a question --

4 MR. FAVILUKIS: No, no. It doesn't speak for  
5 itself because you were implying that my client didn't get  
6 back to her for two and a half months.

7 MS. JOSEPH: That's not true.

8 Q: What date is this text from, Michael?

9 MS. JOSEPH: Judge, -- Judge, could you -- could  
10 you just --

11 MR. FAVILUKIS: I'm trying to --

12 ALJ STECURA: There's a standing objection.

13 MR. FAVILUKIS: I apologize. I'm trying to finish  
14 before 5:00, Your Honor.

15 ALJ STECURA: That --

16 MS. JOSEPH: Yeah, but there's no need to read of  
17 each and every -- and -- and the -- the --

18 ALJ STECURA: What's your objection?

19 MS. JOSEPH: The cross examination was not to imply  
20 what Counsel is purporting to say. It was strictly saying  
21 the date was March 28, '23 and Mr. Geylik was offering her  
22 interesting information. I read the text. I don't want to  
23 go through that.

24 ALJ STECURA: So -- so document speaks for itself,  
25 --

1 MS. JOSEPH: Yes.

2 ALJ STECURA: -- and I don't want argumentative  
3 questions.

4 MR. FAVILUKIS: Understood.

5 ALJ STECURA: So your questions should be based on  
6 facts and understanding. You can save the argument for your  
7 brief.

8 MR. FAVILUKIS: Understood. Thank you, Your Honor.

9 Q: So -- so -- so that -- so skipping over the fact that  
10 these texts show that you responded to her the same day and then  
11 you communicated, did you have com -- communications? Do you  
12 remember if you had communications with Judy between January 13th  
13 and March 28th during that two-and-a-half-month period about this?

14 A: I don't remember.

15 Q: Okay.

16 A: There were multiple conversations throughout days,  
17 weeks, months, very often communication, friendly communication.

18 Q: About what? About the request?

19 A: About -- Judy -- yeah, from Judy to assist her. There  
20 was no way for me asking her to apply and to move out. It was her  
21 initiative to -- for us to assist her.

22 Q: Okay. Are you aware, were there any apartments that  
23 MGNY, yourself or anyone else at MGNY, proposed to Judy that she  
24 could move into or get on a lottery for?

25 MS. JOSEPH: Objection. I don't think it was part

1 of cross. I didn't ask about anything of MGNV office.

2 ALJ STECURA: It's relevant.

3 MR. FAVILUKIS: Irrelevant or relevant, I'm sorry.

4 ALJ STECURA: Relevant, you can ask.

5 Q: Did you hear the question?

6 A: So I do know that she sat with affordable housing  
7 manager in my office and for assist her and take information and  
8 her interests and help her to apply either for a voucher or  
9 through -- help her register to housing connect, or both. I don't  
10 know the details, but she was very pleased after the meeting with  
11 the affordable housing manager.

12 Q: Okay. I want to ask you about the police report, not  
13 the contents of the police report by Judy Saban about Zach Hall,  
14 not the contents of that police report. I'm just asking, were you  
15 -- how -- how did you become aware of that police report?

16 MS. JOSEPH: Objection, Your Honor. I don't think  
17 it was touched on cross. That was testified to on direct and  
18 when it was entered.

19 ALJ STECURA: Sustained.

20 MR. FAVILUKIS: I believe that that was discussed  
21 on cross. There was --

22 MS. JOSEPH: There was a question --

23 MR. FAVILUKIS: -- several questions asked about  
24 the --

25 MS. JOSEPH: There was a question about when did

1 Ms. Saban showed the Respondent the police report.

2 MR. FAVILUKIS: So I will -- I will rephrase my  
3 question.

4 Q: Was the first time that you became aware of that police  
5 report when Ms. Saban showed it to you?

6 A: Yes.

7 Q: To clarify, you were unaware of that police report until  
8 Ms. --

9 MS. JOSEPH: Objection, Your Honor, he's asking --

10 ALJ STECURA: He's asking a question --

11 MS. JOSEPH: Right.

12 ALJ STECURA: -- and you're interrupting. I don't  
13 even know what the question is.

14 MS. JOSEPH: Okay. I understand. You're right.

15 Q: To clarify, were -- you were unaware of that police  
16 report before Ms. Saban showed it to you?

17 MS. JOSEPH: Objection. Asked and answered.

18 ALJ STECURA: Overruled.

19 Q: Go ahead.

20 A: I was not aware.

21 Q: Okay. Ms. Joseph asked you about the DOB violation that  
22 ended in 37H and --

23 MR. FAVILUKIS: I will -- I'm going to have trouble  
24 finding it.

25 MR. GEYLIK: It's exhibit -- the March --

1 ALJ STECURA: No, no, no.

2 MR. FAVILUKIS: I don't think that I have a copy of  
3 it, Your Honor, because I think it was one of the ones that I  
4 said I didn't need. I don't recall what exhibit it was sent  
5 as.

6 MS. JOSEPH: Is it your exhibit or is it --

7 MR. FAVILUKIS: It might have been one of our  
8 exhibits that I said I didn't need a copy of.

9 MR. GEYLIK: I have a number. If I can -- if I --

10 ALJ STECURA: No.

11 MR. FAVILUKIS: May I take -- may I take the -- the  
12 exhibit just to see what number it is?

13 ALJ STECURA: No.

14 MR. FAVILUKIS: I'll find it.

15 MS. JOSEPH: It's their exhibit, I'm sorry.

16 MR. FAVILUKIS: It is our exhibit. I just didn't  
17 ask for a copy of it. Which is -- it's G4.

18 Q: Do you have that in front of you, Michael?

19 A: Yes, I do.

20 MS. JOSEPH: I -- I just -- I don't have it, I'm  
21 sorry. I don't know what the -- okay. Thank you so much.  
22 Yes, I have it now, please.

23 MR. FAVILUKIS: Okay.

24 MS. JOSEPH: Yeah.

25 Q: And G4, and it -- it should be page 5 -- excuse me, 4.

1 Page 4, 4 or 5, depending on if you have the cover on it. The  
2 violation I'm asking about ends in 37H or I think Ms. Joseph was  
3 referring to it as 637H.

4 A: I see it.

5 Q: You see it? It's the one that was issued in 1999?

6 A: Yes.

7 Q: And Ms. Joseph asked you a few times, I think you had  
8 maybe trouble understanding, why you didn't oppose this violation  
9 before the DOB, based on the same argument you made in 2024 for  
10 the fire stopping issue. Do you recall that question?

11 A: Yes.

12 Q: Do I need to refresh your memory?

13 A: I remember because --

14 Q: Okay.

15 A: -- I handled this violation with the DOB.

16 Q: Understood.

17 A: So -- so there was a job --

18 ALJ STECURA: There's no question.

19 Q: So you -- you mentioned before that you had some  
20 experience expediting corrections of DOB violations, is that --

21 A: Yes.

22 Q: Okay. Can you explain to me how one would oppose a DOB  
23 violation that was issued and looks like found -- the respondent  
24 was found guilty of. Oh, no, I'm sorry. Stipulated to that they  
25 were in violation 26 years ago?

1 A: Yeah.

2 MS. JOSEPH: Well, I'll -- I'll -- I'll object,  
3 Judge, quickly is because I specifically referred to the  
4 letter that he had his architect send stating that there's no  
5 -- no need to have any fireproofing in this building because  
6 it is not necessary. So it wasn't a generic, how does one go  
7 about opposing?

8 ALJ STECURA: Okay.

9 MS. JOSEPH: It was --

10 ALJ STECURA: And your -- my understanding is your  
11 question is how do you deal with something that's older than  
12 when you had control over the building?

13 MR. FAVILUKIS: Not just old, you --

14 ALJ STECURA: Old.

15 MR. FAVILUKIS: Something that was stipulated to as  
16 being in violation 26 years ago. You can't deal with  
17 something that --

18 ALJ STECURA: Right. It's not about --

19 MR. FAVILUKIS: -- was issued three months ago if  
20 it was stipulated.

21 ALJ STECURA: Okay. So can you just rephrase your  
22 question so it's understandable.

23 MR. FAVILUKIS: Sure.

24 Q: I want to know, in your experience in expediting  
25 certifications of correction, can you oppose this 26 years later?

1           A:    So apparently there was a job filed by the previous  
2 owner that has a reference to this particular violation, so -- and  
3 it was taken care of, so that's why this violation on the  
4 certificate of correction was dismissed or accepted by the  
5 Building Department -- corrections.

6           Q:    It's not really what I asked for, and that's actually  
7 also not what the violation says.

8                   MS. JOSEPH:  But -- yeah.  Judge, -- Judge, I  
9 really -- I really --

10                  ALJ STECURA:  Stop.

11                  MR. FAVILUKIS:  The -- but if I may finish my  
12 question, please.

13                  MS. JOSEPH:  -- don't appreciate -- he is negating  
14 his own client's answering.

15                  ALJ STECURA:  Please -- please stop.  Stop.

16                  MR. FAVILUKIS:  I think he misunderstood my  
17 question.

18                  ALJ STECURA:  He's asking a clarifying question.

19           Q:    So this violation, if you look at it, at the bottom  
20 where it says -- in the row that says, "OATH ECB hearing  
21 information."

22           A:    Yeah.

23           Q:    It says, "Scheduled hearing date/time, May 27, 1999,  
24 10:30 AM."  Hearing status, "Stipulation/in vio," which I  
25 understand to mean in violation.  I'm not asking you what that

[04:45:02]

[02:17:23-2]

1 means. I'm saying to you, if a violation was stipulated to in  
2 1999, can you -- do you believe, and if -- if the answer is yes,  
3 you believe it, please tell me how you would oppose the merits of  
4 this violation today in 2025?

5 A: So the violations have two parts, monetary and the  
6 actual violating condition. So if somebody found in violation,  
7 they would have to pay the penalty for violating the condition.  
8 But the second part of the violation, the violating condition had  
9 to be corrected. I'm not sure if I --

10 Q: I don't think you're understanding my question. How do  
11 you oppose --

12 MS. JOSEPH: Objection, Your Honor.

13 ALJ STECURA: Okay. He --

14 Q: -- it, not -- not address?

15 ALJ STECURA: No, I'm asking you to move on.

16 MR. FAVILUKIS: Okay.

17 ALJ STECURA: You've asked the question several  
18 times.

19 MR. FAVILUKIS: Sure, no problem.

20 Q: Ms. A -- Ms. Joseph asked you, when -- when you had the  
21 certificate of no harassment in hand, she -- she made a point of  
22 saying, well, you had the certificate of no harassment, you had it  
23 in hand, and you didn't apply for the permits. And I believe you  
24 started saying you can't possibly apply for the permits the minute  
25 that you have the certificate of no harassment.

1 A: Of course.

2 Q: Can you just expand on that? When did you actually  
3 receive the physical copy of the certificate of no harassment  
4 that, I believe, is what then is submitted to the DOB when you  
5 file an application for --

6 MS. JOSEPH: Objection, Your Honor. This is --  
7 again, it's one question into another -- into a testimony as  
8 far as --

9 MS. JOSEPH: Overruled. Overruled.

10 Q: When -- when --

11 MS. JOSEPH: -- as far as the process of how did --

12 ALJ STECURA: Overruled.

13 Q: When did you have the certificate of no harassment in  
14 hand?

15 A: I picked it up physically March 13th, 2024.

16 Q: And what did you intend to do with it once you had it in  
17 hand?

18 A: So I contacted the architect and I let him know that now  
19 we have certificate of no harassment, we need to reestablish the  
20 plan that was previously filed or pre-filled, I don't remember the  
21 exact status, to install and re -- or to re -- to install the  
22 kitchen and the -- the bathroom. And the -- the architect has to  
23 put this job in queue and start reviewing the plan, start --  
24 process with the DOB.

25 Q: In -- in whose queue?

1           A:    In their queue.  In the -- internally with the  
2 architect, they have a lot of jobs.  So when you tell them that I  
3 need you to start working this, he says, okay, I got it.  Let's  
4 have a call or in -- like in a week or two weeks, we will  
5 understand where we stand and we'll proceed with the job.

6           Q:    In your experience, does it take an architect a week or  
7 two weeks to prepare, draw architectural drawings?

8           MS. JOSEPH:  Objection, Your Honor.

9           A:    It -- it takes more than that.

10          MS. JOSEPH:  What's the relevance of how long does  
11 it -- may take for the architect?

12          ALJ STECURA:  It's in connection with your cross  
13 examination, so overruled.  You may answer.

14          MR. FAVILUKIS:  Thank you, Your Honor.

15          A:    So the plan has to be prepared, drafted, then the plan  
16 has to be filed, then the plan has to be submitted to the Building  
17 Department, then the plan has to be reviewed.  There might be  
18 objections back and forth between the architect and the DOB plan  
19 examiner.  When there is finally an approval, only then, with the  
20 approved set of plans, you can apply to get the permit.  But I  
21 couldn't physically do that because after I spoke to an architect,  
22 probably a week from that date, Judy Saban messaged me that there  
23 is a new huge crack in the hallway in the building, and that  
24 triggered me to understand what might be happening.  But week  
25 after Judy sent me, or maybe three, four days, an earthquake

1 happened. After I spoke another time with an architect, I told  
2 him about this issue. The architect told me that I recommended  
3 you consult with a structural engineer because it's not normal  
4 that you have such a slow slope, an additional way that you wanted  
5 to install for the kitchen might further destabilize already  
6 fragile structure. So that what triggered me to contact the  
7 engineer and to see if it's even safe for me to proceed with this  
8 and apply with -- to proceed with the plan, obtain the permit to  
9 install the kitchen because it's extra weight.

10 Q: So, to clarify, are you saying that you weren't the one  
11 to decide that you couldn't go forward with this plan?

12 A: I did want to proceed and keep my work, what I promised  
13 to do to the tenants, but I was stopped by the professional that  
14 told me that it's too dangerous to do that.

15 Q: And then that was reported to the DOB; is that right?

16 A: I was told by the engineers that the conditions are such  
17 that if you don't report it yourself, we're going to have to  
18 report it because our license is on the line.

19 Q: The engineer told you this?

20 A: Yes.

21 Q: I see. How comfortable did you feel disagreeing with  
22 the engineer and just going ahead and finding another engineer?

23 A: I couldn't because they measured the slope and they say  
24 it's not even like the -- like you -- you shouldn't even talking  
25 about doing any construction because we don't know what causes

1 this sloping on the floors. There must be some kind of serious  
2 issue because the -- the -- the entire middle section with the  
3 staircase pulls down the weight of the units.

4 Q: But the tenants must have told you that they were okay  
5 with the slope of the floor; did they not?

6 A: Yes.

7 Q: They told you that they were fine with the slope of the  
8 floors?

9 A: Yeah. They -- they said that it's okay. The slopes is  
10 -- is fine.

11 ALJ STECURA: Okay. Now you're moving beyond --

12 MR. FAVILUKIS: Sure. I understand.

13 ALJ STECURA: -- the cross examination.

14 MR. FAVILUKIS: I understand.

15 Q: Okay. So that actually brings me to my question about  
16 the certificate of no harassment that Ms. Joseph was asking you  
17 about. Now, did you prepare -- so can you pull, please, Exhibit  
18 4. Just let me know when you have it.

19 A: I have it.

20 Q: Now, you said that you had an attorney prepare the DHCR  
21 registrations. Did you prepare this yourself?

22 A: I didn't.

23 Q: Did you have an attorney prepare this for you?

24 A: Yes.

25 Q: Now, Ms. Joseph was asking you about the question on

1 page 3 of the application, that would be, I believe, page 6 of the  
2 document but page 3 of the application.

3 A: Okay.

4 Q: Okay. And at the top it says 6, number 6.

5 A: Yes.

6 Q: There's a -- below it says A and B. And Ms. Joseph was  
7 asking you about -- specifically, about A. The question, "Have  
8 any applications for permits been filed with the Department of  
9 Buildings for work at the property which would require a  
10 certificate of no harassment?" And the answer was, "Yes."

11 A: Correct.

12 Q: And the attached was -- the -- the plans were attached  
13 there?

14 A: Yes.

15 Q: And then there was some -- there was a -- a line of  
16 questioning as to whether or not a -- an application for a permit  
17 had in fact been filed. Is that -- do you remember that?

18 A: Yes, I do.

19 Q: Can you tell me what you believed had been filed with  
20 the DOB that included these plans, Michael?

21 A: The plan was filed with the DOB but the plan could not  
22 be physically approved without a certificate of no harassment.  
23 Since the plan that was filed with DOB could not be approved  
24 without certificate of no harassment, I could not physically  
25 obtain or apply to get a permit. You can only apply for a permit

1 when you have the DOB job -- approve the plan, and the -- the  
2 approval of this plan would require a certificate of no  
3 harassment.

4 Q: So having given me that explanation, but also having  
5 heard and answered Ms. Joseph's questions, do you feel that this  
6 answer to A is a material misrepresentation of the facts?

7 MS. JOSEPH: Objection, Your Honor. This is --  
8 this is statutory -- you know, it calls for legal conclusion  
9 of what a statutory misrepresentation mean.

10 MR. FAVILUKIS: I can rephrase.

11 ALJ STECURA: Please rephrase.

12 Q: Michael, did you intend to lie by answering that, yes,  
13 an application for permits had been filed when in fact all that  
14 was filed was an application for approval of the plans and you had  
15 to wait until the certificate of no harassment was granted to file  
16 an application for the permit?

17 A: I had no intention to lie.

18 Q: Okay. Do you still understand that this may not be  
19 exactly what was filed?

20 A: I don't. That was --

21 Q: I don't either.

22 MS. JOSEPH: What?

23 ALJ STECURA: No commentary, Mr. Favilukis.

24 MR. FAVILUKIS: I apologize, Your Honor.

25 Q: Who did prepare the architectural plans for you?

1 A: A licensed -- a registered architect.

2 Q: Did you file the plans with the DOB yourself?

3 A: No.

4 Q: Who filed them for you?

5 A: Architect.

6 MR. FAVILUKIS: I have no further questions, Your  
7 Honor.

8 MS. JOSEPH: Wow.

9 ALJ STECURA: All right. I'm going to pause the  
10 record. Mr. Geylik, your testimony has concluded and you may  
11 be seated.

12 [OFF THE RECORD]

13 [ON THE RECORD]

14 ALJ STECURA: Okay. Mr. Favilukis, do you have  
15 anything further you wish to present? So, does --

16 MR. FAVILUKIS: No. No, I rest, Your Honor.

17 ALJ STECURA: Respondent -- okay. Respondent has  
18 rested. So the parties have opted to submit closing briefs  
19 instead of conducting oral closing arguments. I will send an  
20 email with the form of the papers, but the parties have  
21 agreed that the opening briefs will be due on November 6,  
22 2025, 5:00 PM. Reply briefs are due on November 20, 2025 at  
23 5:00 PM and no extensions will be given without a showing of  
24 good cause. And the parties are further directed to file on  
25 or before October 9, 2025 a joint list of admitted exhibits,

1 including dates on which such exhibits were  
2 admitted and whether the exhibits were admitted pursuant to  
3 stipulation. So the record in this matter will stay open  
4 until November 6, 2025. After that, it will close. So with  
5 that, trial has concluded. Thank you very much.

6 MR. FAVILUKIS: Thank you, your Honor.

7 MS. JOSEPH: Thank you, Judge.

8 MR. GEYLIK: Thank you.

9 [END OF TRIAL]

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## CERTIFICATE OF ACCURACY

I, Derrick Ndilo, certify that the foregoing transcript of Department of Housing preservation and Development v. Michael Geylik on September 25, 2025 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

***DN***

Date: October 2, 2025

I, Blanca Martinez, conducted a quality control review of the certified foregoing transcript.

Reviewed By

***BM***

Date: October 3, 2025

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