

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
ALBANI TORRES FIGUEROA,

Index No.:

Plaintiff,

SUMMONS

-against-

The basis of venue is:
Plaintiff's Residence

DELUXE HOME BUILDERS CORP. AND
CENTRE POINTE DEVELOPERS LLC,

Plaintiffs designate BRONX
County as the place of trial.

Defendants.

Plaintiff resides:
3261 Ampere Avenue
Bronx, New York 10465

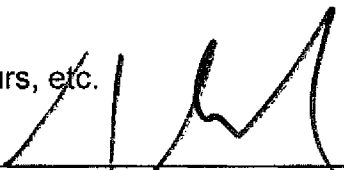
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To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

DATED: New York, New York
January 30, 2023

Yours, etc.


CHRISTOPHER J. GORAYEB
GORAYEB & ASSOCIATES, P.C.
Attorney for Plaintiff
ALBANI TORRES FIGUEROA
100 William Street, Suite 1900
New York, New York 10038
(212) 267-9222/A11757 - LL/NC

DEFENDANT'S ADDRESSES:

DELUXE HOME BUILDERS CORP., 164 Hewes Street, #4, Brooklyn, NY 11211

CENTRE POINTE DEVELOPERS LLC, 13 Hayes Court, #201, Monroe, NY 10950

Law Offices
GORAYEB & ASSOCIATES, P.C.
100 WILLIAM STREET
NEW YORK, NEW YORK 10038

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

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ALBANI TORRES FIGUEROA,

Plaintiff,

-against-

DELUXE HOME BUILDERS CORP. AND
CENTRE POINTE DEVELOPERS LLC,

Defendants.
-----X

VERIFIED COMPLAINT

Index No.:

Plaintiff, **ALBANI TORRES FIGUEROA** by her attorney, GORAYEB & ASSOCIATES, P.C., complaining of the defendants, respectfully alleges, upon information and belief, as follows:

1. That at all times hereinafter mentioned and prior thereto and on, or prior to January 23, 2023, plaintiff was and still is a resident of the State of New York, County of BRONX.
2. That this action falls within one or more of the exemptions set forth in CPLR §1602.
3. That at all times hereinafter mentioned, the defendant, **DELUXE HOME BUILDERS CORP.** (hereinafter "**DELUXE**"), was and still is a domestic corporation organized and existing under and by virtue of the Laws of the State of New York.
4. That at all times hereinafter mentioned, **DELUXE**, was and still is a partnership organized and existing under and by virtue of the Laws of the State of New York.
5. That at all times hereinafter mentioned, and upon information and belief, **DELUXE**, was and still is a foreign corporation authorized to do business under

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NEW YORK, NEW YORK 10038

and by virtue of the Laws of the State of New York.

6. That at all times hereinafter mentioned, and upon information and belief, **DELUXE**, maintained a principal place of business in Kings County, City and State of New York with its principal place of business at 164 Hewes Street, #4, Brooklyn, NY 11211.
7. That at all times hereinafter mentioned, the defendant, **CENTRE POINTE DEVELOPERS LLC** (hereinafter "**CENTRE**"), was and still is a domestic corporation organized and existing under and by virtue of the Laws of the State of New York.
8. That at all times hereinafter mentioned, **CENTRE**, was and still is a partnership organized and existing under and by virtue of the Laws of the State of New York.
9. That at all times hereinafter mentioned, and upon information and belief, **CENTRE**, was and still is a domestic limited liability company authorized to do business under and by virtue of the Laws of the State of New York.
10. That at all times hereinafter mentioned, and upon information and belief, **CENTRE**, was and still is a foreign limited liability company authorized to do business under and by virtue of the Laws of the State of New York.
11. That at all times hereinafter mentioned, and upon information and belief, **CENTRE**, was and still is a foreign corporation authorized to do business under and by virtue of the Laws of the State of New York.
12. That at all times hereinafter mentioned, and upon information and belief, **CENTRE**, maintained a principal place of business in Orange County, State of New York with its principal place of business at 13 Hayes Court, #201, Monroe, NY 10950.

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**AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFF ALBANI TORRES FIGUEROA**

13. Plaintiff, **ALBANI TORRES FIGUEROA**, repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "12" together with the same force and effect as though same were more fully set forth at length herein.
14. That on January 23, 2023, **DELUXE**, owned the property located 64 Centre Avenue, New Rochelle, NY 10801.
15. That on January 23, 2023, **DELUXE**, owned a building or structure located at 64 Centre Avenue, New Rochelle, NY 10801.
16. That on January 23, 2023, **DELUXE**, operated a building or structure located at 64 Centre Avenue, New Rochelle, NY 10801.
17. That on January 23, 2023, **DELUXE**, maintained a building or structure located at 64 Centre Avenue, New Rochelle, NY 10801.
18. That on January 23, 2023, **DELUXE**, controlled and managed a building and structure located at 64 Centre Avenue, New Rochelle, NY 10801.
19. That on or prior to January 23, 2023, **DELUXE**, was hired and/or retained to act as the general contractor and/or construction manager for the construction, renovation, demolition, repair and/or alteration of premises located at 64 Centre Avenue, New Rochelle, NY 10801.
20. That on or prior to January 23, 2023, **DELUXE**, entered into an agreement and contract by which **DELUXE** was to provide certain work, labor, services and material as the general contractor and or construction manager with respect to certain construction work, labor and services concerning the construction of the premises located at 64 Centre Avenue, New Rochelle, NY 10801.
21. That on or prior to January 23, 2023, **DELUXE**, entered into an agreement and contract by which **DELUXE** was to provide certain work, labor, services and

material with respect to certain construction work, labor and services concerning the construction of the premises located at 64 Centre Avenue, New Rochelle, NY 10801.

22. That on or prior to January 23, 2023, **DELUXE**, retained a contractor to perform construction, renovation, demolition, painting, repair and/or alteration of 64 Centre Avenue, New Rochelle, NY 10801.
23. That on or prior to January 23, 2023, **DELUXE**, retained **AALS GROUP INC. also known as SUPER CLEAN (hereinafter "AALS")** to provide work, labor and/or services at the premises located at 64 Centre Avenue, New Rochelle, NY 10801.
24. That at all times hereinafter mentioned, and on, or prior to January 23, 2023, **AALS** was hired and/or retained pursuant to a written contract and/or agreement.
25. That on or prior to January 23, 2023, the Defendant, its agents, servants and/or employees were engaged in performing construction work, labor and/or services upon the premises located at 64 Centre Avenue, New Rochelle, NY 10801.
26. That on January 23, 2023, construction, renovation, demolition, painting, repair and/or alterations were being performed at 64 Centre Avenue, New Rochelle, NY 10801.
27. That on January 23, 2023, plaintiff was engaged in the performance of construction, renovation, demolition, painting, repair and/or alterations at said premises.
28. That the Defendant, its agents, servants and/or employees had the duty to provide the Plaintiff with a safe place to work.
29. That the Defendant, its agents, servants and/or employees had the non-delegable duty to see that the work site was kept reasonably safe and free

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