

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X

RANDO N. MEDINA VALDEZ,

Plaintiff,

-against-

268 EAST 181ST ST HDFC and ARC PROPERTY  
MANAGEMENT GROUP, INC.,

Defendants.

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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 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and 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: Brooklyn, New York  
February 14, 2024

Yours, etc.



Nick Banilov, Esq.  
BANILOV & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
2566 86<sup>th</sup> Street, Suite 3  
Brooklyn, New York 11214  
718-233-1002  
Our File No.: 21874

**DEFENDANTS' ADDRESSES:**

268 EAST 181ST ST HDFC  
C/O Migdalia Velez  
268 East 181<sup>st</sup> Street, Apt 2C  
Bronx, New York 10457

ARC PROPERTY MANAGEMENT GROUP, INC.  
2024 Williamsbridge Road, Suite 6  
Bronx, New York 10461

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X Index No.: \_\_\_\_\_

RANDO N. MEDINA VALDEZ,

Plaintiff,

-against-

**VERIFIED COMPLAINT**

268 EAST 181ST ST HDFC and ARC PROPERTY  
MANAGEMENT GROUP, INC.,

Defendants.

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Plaintiff, RANDO N. MEDINA VALDEZ by his attorneys, BANILOV & ASSOCIATES, P.C., complaining of the defendants herein, alleges the following, upon information and belief:

1. That at all times herein mentioned, plaintiff, RANDO N. MEDINA VALDEZ was, and still is, resident of the County of Bronx, City and State of New York.

2. That at all times mentioned herein, defendant, 268 EAST 181ST ST HDFC was and still is a domestic Housing Development Fund Corporation duly organized and existing under and by virtue of the laws of the State of New York.

3. That at all times herein mentioned, defendant, 268 EAST 181ST ST HDFC maintained a principal place of business in the County, City and State of New York.

4. That at all times mentioned herein, defendant, ARC PROPERTY MANAGEMENT GROUP, INC. was and still is a domestic business corporation duly organized and existing under and by virtue of the laws of the State of New York.

5. That at all times herein mentioned, defendant, ARC PROPERTY MANAGEMENT GROUP, INC. maintained a principal place of business in the County of Bronx, City and State of New York.

6. That on August 25, 2023, and at all times herein mentioned, a public thoroughfare and sidewalk portions thereto existed in the County of Bronx, City and State of New York, in front

of and adjacent to the property, known as 268 East 181<sup>st</sup> Street.

7. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was owned by defendant, 268 EAST 181ST ST HDFC.

8. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was managed by defendant, 268 EAST 181ST ST HDFC.

9. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was maintained by defendant, 268 EAST 181ST ST HDFC.

10. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was controlled by defendant, 268 EAST 181ST ST HDFC.

11. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was repaired by defendant, 268 EAST 181ST ST HDFC.

12. That on August 25, 2023, and at all times herein mentioned, it was the duty of defendant, 268 EAST 181ST ST HDFC, to maintain the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, in a reasonably safe condition.

13. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was owned by defendant, ARC PROPERTY MANAGEMENT GROUP, INC.

14. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was managed by defendant, ARC PROPERTY MANAGEMENT GROUP, INC.

15. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was maintained by defendant, ARC PROPERTY MANAGEMENT GROUP, INC.

16. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was controlled by defendant, ARC PROPERTY MANAGEMENT GROUP, INC.

17. That on August 25, 2023, and at all times herein mentioned, the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, was repaired by defendant, ARC PROPERTY MANAGEMENT GROUP, INC.

18. That on August 25, 2023, and at all times herein mentioned, it was the duty of defendant, ARC PROPERTY MANAGEMENT GROUP, INC. to maintain the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, in a reasonably safe condition.

19. That on August 25, 2023, at approximately 5:15 a.m., the plaintiff, RANDO N. MEDINA VALDEZ, was a lawful pedestrian on the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York.

20. That on August 25, 2023, while the plaintiff, RANDO N. MEDINA VALDEZ, was a lawful pedestrian on the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York, he was caused to trip and fall and sustain severe and permanent injuries.

21. That the aforesaid fall occurred by reason of and due to the aforesaid dangerous and defective conditions.

22. That at all times herein mentioned, defendant, 268 EAST 181ST ST HDFC had an actual notice of said dangerous and defective condition.

23. That at all times herein mentioned, defendant, 268 EAST 181ST ST HDFC had a constructive notice of said dangerous and defective condition.

24. That defendant, 268 EAST 181ST ST HDFC had caused and created the subject dangerous and defective condition.

25. That the aforesaid occurred by reason of the negligence of defendant, 268 EAST 181ST ST HDFC in the ownership of the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York.

26. That the aforesaid occurred by reason of the negligence of defendant, 268 EAST 181ST ST HDFC in the management of the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York.

27. That the aforesaid occurred by reason of the negligence of defendant, 268 EAST 181ST ST HDFC in the maintenance of the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York.

28. That the aforesaid occurred by reason of the negligence of defendant, 268 EAST 181ST ST HDFC in the repair of the aforesaid sidewalk located in front of and adjacent to the property, known as 268 East 181<sup>st</sup> Street, in the County of Bronx, City and State of New York.

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