

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ORANGE

THE PEOPLE OF THE STATE OF NEW YORK by
LETITIA JAMES, Attorney General of the State
of New York,

**VERIFIED
PETITION**

Petitioner,

-against-

Index No.

BOURNE & KENNEY REDEVELOPMENT COMPANY, LLC,
ALL COUNTY PROPERTY MANAGEMENT, INC.

Respondents.

Petitioner, the People of the State of New York, by their attorney, Letitia James, Attorney General of the State of New York (“OAG” or “Petitioner” or “Office of the Attorney General”), respectfully allege upon information and belief:

INTRODUCTION

1. Petitioner brings this summary special proceeding to enjoin Bourne & Kenney Redevelopment Company, LLC and All County Property Management, Inc. (hereinafter “Respondents” or “Bourne & Kenney”) from repeated and persistent violations of the Code of Ordinances of the City of Newburgh (“Newburgh Code”), the Property Maintenance Code of the State of New York (“PMCNYS”) (as contained within the New York State Uniform Fire Prevention and Building Code), and the New York Real Property Law § 235-b (the implied warranty of habitability) related to the buildings located at 55 Walsh Road in Newburgh, New York, and to require Respondents to repair and resolve all outstanding code violations by a set date and prior to the sale of any of its properties. The OAG also seeks restitution on behalf of affected tenants and costs, as authorized by statute, to be paid to the State of New York.

2. Respondents have neglected their minimum obligations to maintain habitable conditions for the tenants at Kenney Apartments for years. Since at least 2023, tenants at the Kenney apartment buildings have lacked consistent heat and hot water. During the current winter heating season tenants at the Kenney Apartments continuously lacked sufficient heat and hot water for months.

3. In addition to this persistent lack of heat and hot water, the City of Newburgh Code Enforcement has issued violations against Bourne & Kenney for mold, leaking sewage, unsafe electrical wiring, cockroach and mice infestations, peeling paint, and roof leaks. Approximately 160 code violations currently remain unaddressed at the Kenney Apartments.

PARTIES, JURISDICTION, AND VENUE

4. Petitioner is the People of the State of New York, by Letitia James, Attorney General of the State of New York. This Court has jurisdiction pursuant to New York Executive Law § 63(12) under which the OAG, on behalf of the People of the State of New York, is empowered to seek injunctive relief, restitution, damages, and costs when any person or entity has engaged in repeated fraudulent or illegal acts or has otherwise engaged in persistent fraud or illegality in the conduct of its business.

5. Respondent Bourne & Kenney Redevelopment Company, LLC is a limited liability company incorporated in 1998. The registered address on file with the Department of State for service of process is 31-10 37th Avenue, Long Island City, New York 11101. The business address for Respondent Bourne & Kenney is 150 Smith Street, Unit 1-08, Newburgh, New York 12550. At all relevant times, Bourne & Kenney Redevelopment Company, LLC has owned, controlled, and managed the Kenney Apartments.

6. Respondent All County Property Management, Inc. is a New York company incorporated in 2003. The registered address on file with the Department of State for service is 11 Pineview Road, West Nyack, New York 10994. All County Property Management, Inc. is involved in the management of the Kenney Apartments.

7. Venue is proper in Orange County pursuant to CPLR § 503(a) because Orange County is the county in which a substantial part of the events or omissions giving rise to the claims occurred.

FACTS

8. Respondents have owned and/or managed the Kenney apartments in Newburgh for more than two decades. Respondent Bourne & Kenney were awarded tax credits allocated by the State of New York for development of two properties (the Bourne Apartments and the Kenney Apartments) as affordable housing through the Low-Income Housing Tax Credit (LIHTC) program in 1999.¹ Additionally, Respondent Bourne & Kenney entered into a Payment in Lieu of Taxes (PILOT)² agreement with the City of Newburgh to facilitate development of these properties as affordable housing.

¹ The Low-Income Housing Tax Credit (LIHTC) subsidizes the acquisition, construction, and rehabilitation of affordable rental housing for low- and moderate-income tenants. The LIHTC was enacted as part of the 1986 Tax Reform Act. As part of the program, the federal government issues tax credits to state governments. State housing agencies then award credits to private developers of affordable rental housing projects through a competitive process. Developers generally sell the credits to private investors to obtain funding. Once the housing project is made available for rental to tenants, investors can claim the tax credits over a 10-year period.

² The 1999 PILOT agreement granted Bourne & Kenney an exemption from local and municipal taxation pursuant to New York State Private Housing Law § 125. In lieu of this taxation, the agreement imposed a lesser annual payment, essentially creating an incentive for development.

9. The OAG initiated its investigation of Respondents in response to community complaints regarding the persistent lack of heat and hot water and other dangerous conditions at the Kenney apartments. Both the persistence of these conditions and the widespread harm to tenants due to these conditions warrant broad injunctive relief and monetary restitution. The City of Newburgh Code Enforcement inspections substantiate Respondents' pattern of neglect, including the failure to address dangerous conditions within the Kenney Apartments.

10. For years, tenants at the Kenney Apartments have continued to pay both rent and excessive electric bills for homes that are frigid in the winter, mold-ridden, and rodent-infested, with unsafe stairways, holes in the floors, and water and sewage leaking through the ceilings.

I. Repeated Illegality

11. Respondents have repeatedly and consistently violated City and State property maintenance codes, including the City of Newburgh Code of Ordinances ("Newburgh Code") and the Property Maintenance Code of New York State ("PMCNYS"). Respondents failed to make necessary repairs in a timely manner, often failing to meet the mandatory compliance deadlines by several months.

12. In violation of New York State Real Property Law and state and City of Newburgh property maintenance codes, Respondents repeatedly failed to remedy dangerous conditions and physical defects at their properties between at least January 2023 to January 2026.

A. Code Enforcement Court Filings and Code Violations

13. The City of Newburgh Code Enforcement has filed complaints in Newburgh City Court against Respondents regarding the heat and hot water issues at the Kenney Apartments, as well as other persistent conditions in the units which Respondents have failed to address within

the code compliance deadlines. Several of these court cases are currently pending resolution, including a filing on December 19, 2025, in which Code Enforcement Officer Ronald Decker states that during his inspection of the Kenney Apartments boilers on December 16, 2025, one of the two boilers was not operable and that this boiler needed to be replaced. He states that the heat issues are recurrent, in that every year for the past five years, the same issues have recurred. He describes the boilers as old and outdated. Code Inspector Decker returned to the Kenney Apartments for a re-inspection three days after the initial inspection and describes the conditions at re-inspection as the same or substantially similar, necessitating the City of Newburgh's court filing. In this filing, Respondents were cited by the City of Newburgh Code Enforcement for violation of the 2020 edition of the New York State Property Maintenance Code ("PMCNYS") §602.3 (heat supply).

14. Other City of Newburgh Code Enforcement complaints currently pending in Newburgh City Court due to failure of Respondents to repair by the compliance deadline include:

- a. violations related to an ongoing ceiling leak which resulted in damage in a tenant's kitchen (violation Newburgh Code §190-71);
- b. excessive mold (violation of the 2020 PMCNYS §305.3 (interior surfaces));
- c. unsafe stairway structures (violation of the 2020 PMCNYS §305.4 (stairs and walking surfaces));
- d. peeling paint (violation of the 2020 PMCNYS §305.3 (interior surfaces));
- e. mice and rat infestations (violation of the 2020 PMCNYS §309.1 (infestation));

- f. leaking bathroom fixtures (violation of the 2020 PMCNYS §403.2 (bathrooms and toilet rooms)); and
- g. lack of proper ventilation and exhaust in a bathroom (violation of the 2020 PMCNYS §403.2 (bathrooms and toilet rooms)).

15. Inspections of 66 units by the City of Newburgh Code Enforcement in January 2026 led to the condemnation of three units as unsafe. As a result of these inspections, Code Enforcement also issued over 160 additional violations:

- a. 24 violations of the Newburgh Code § 190-71 A (floors, walls, and ceilings): chipping and peeling paint on the walls in a common stairway must be repaired;
- b. 16 violations of the 2020 PMCNYS § 305.3 (interior surfaces): interior surfaces such as windows and doors need to be maintained in good, clean, and sanitary condition, including addressing peeling paint and loose plaster or decayed wood;
- c. 9 violations of the 2020 NYS Fire Code § 906.9.1 (extinguishers weighing 40 pounds or less): portable fire extinguishers must be installed;
- d. 9 violations of the Newburgh Code § 190-87 (plumbing fixtures);
- e. 9 violations of the Newburgh Code § 190-90 (maintenance of heating and cooking equipment);
- f. 7 violations of the Newburgh Code § 190-77 (required plumbing fixtures);
- g. 6 violations of the Newburgh Code § 190-113 (maintenance of heat);
- h. 6 violations of the Newburgh Code § 190-76 (hot water);

- i. 5 violations of the Newburgh Code § 240-25 A (smoke detectors);
- j. 4 violations of the 2020 PMCNYS § 305.1 (general): closet door repairs;
- k. 4 violations of the 2020 PMCNYS § 505.4 (water heating facilities);
- l. 4 violations of the 2020 PNCNYS § 604.3 (electrical system hazards): the electrical system may constitute a hazard to the occupants, and that an electrical survey of the entire building with required permits for repairs is necessary;
- m. 4 violations of the Newburgh Code § 190-92 A (electrical wiring and devices);
- n. 3 violations of the 2020 PMCNYS § 305.4 (stairs and walking surfaces): repair of stairways;
- o. 3 violations of the 2020 PMCNYS § 309.1 (infestation);
- p. 3 violations of the 2020 PMCNYS § 504.1 (general): plumbing fixtures need to be properly installed in working order, and shall be kept free of obstructions, leaks and defects and be capable of performing the function for which the fixtures are designed;
- q. 3 violations of the 2020 MPCNYS § 304.13 (windows, skylight, and door frames): windows, skylights, doors, and frames must be kept in sound condition, good repair, and weather tight;
- r. 3 violations of the Newburgh Code § 190-72 A (bathroom floors);
- s. 3 violations of the Newburgh Code § 240-26 (exits; hardware for doors);
- t. 2 violations of the Newburgh Code § 129-6 (ingress/egress);

- u. 2 violations of the 2020 PMCNYS § 504.3 (plumbing system hazards);
- v. 2 violations of the Newburgh Code § 126-6 (order to abate): sewage;
- w. 2 violations of the Newburgh Code § 190-68 A (structural support);
- x. 2 violations of the Newburgh Code § 190-61 (weather and watertightness);
- y. 2 violations of the Newburgh Code § 240-21 (infestation);
- z. 2 violations of the Newburgh Code § 240-20 (buildings and structures);
- aa. 1 violation of the 2020 PMCNYS § 304.7 (roofs and drainage);
- bb. 1 violation of the PMCNYS § 704.6 (smoke alarms);
- cc. 1 violation of the PMCNYS § 705.1 (carbon monoxide detectors);
- dd. 1 violation of the PMCNYS § 304.18.1 (doors);
- ee. 1 violation of the 2020 PMCNYS § 704.1.1 (installation): related to fire protection;
- ff. 1 violation of the 2020 PMCNYS § 605.1 (installation)): electrical equipment, wiring, and appliances need to be properly installed;
- gg. 1 violation of the 2020 PMCNYS § 305.6 (interior doors): interior doors need to reasonably fit the door frame and close;
- hh. 1 violation of the 2020 PMCNYS § 304.1 (general): the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare;

- ii. 1 violation of the 2020 PMCNYS § 704.1.3 (fire protection systems): fire protection systems need inspection, maintenance, and testing;
- jj. 1 violation of the 2020 PMCNYS § 603.1 (mechanical equipment and appliances): mechanical equipment and appliances shall be properly installed and maintained in a safe working condition (related to the boilers and leaky piping and requiring a licensed plumber to repair/ replace faulty boiler and leaky piping);
- kk. 1 violation of the Newburgh Code § 190-46 (rubbish and garbage): garbage and debris must be removed from the property;
- ll. 1 violation of the Newburgh Code § 129-19 (notice to vacate due to condemnation);
- mm. 1 violation of the 2020 PMCNYS § 304.15 (doors);
- nn. 1 violation of the Newburgh Code § 190-82 (electrical service);
- oo. 1 violation of the 2020 PMCNYS § 605.3 (luminaries);
- pp. 1 violation of the Newburgh Code § 190-85 (refrigerator space);
- qq. 1 violation of the Newburgh Code § 190-65 (protection against insects);
- rr. 1 violation of the Newburgh Code § 190-84 (communal kitchens);
- ss. 1 violation of the Newburgh Code § 190-59 (walls and stairwells);
- tt. 1 violation of the Newburgh Code § 190-49 (drainage);
- uu. 1 violation of the Newburgh Code § 190-70 (stairs and railings); and
- vv. 1 violation of the Newburgh Code § 190-79 (connection of plumbing fixtures).

16. A Parcel Information report published by the City of Newburgh Code Enforcement lists these violations and shows complaints regarding heat and hot water since 2023.

17. As of January 19, 2026, a Code Enforcement inspection indicates that the heat and hot water issues may be temporarily resolved through the repair of one of the two boilers. However, one boiler remains inoperable. Given that Respondents have not replaced the outdated boiler system, heat and hot water issues are likely to recur.

B. RPAPL Article 7-D proceedings filed in Newburgh City Court

18. In January 2026, with the assistance of Legal Services of the Hudson Valley (“LSHV”), 11 tenants from the Kenney Apartments filed Real Property Actions and Proceedings Law (“RPAPL”) Article 7-D proceedings in Newburgh City Court. These special proceedings were filed to direct Respondents to repair conditions and issue rent credits and abatements. The proceedings are currently pending and have not yet been heard or determined (the earliest return date is scheduled for February 4, 2026). In their filings, these 11 tenants describe having to endure appalling conditions and encountering a frustrating lack of responsiveness from management.

19. Mirroring the code violations detailed above, the 11 tenants affirm in their City Court filings that Respondents have failed to provide heat and hot water on a consistent basis since 2023. The filings also detail the presence of mold and mildew leading to illness, including an exacerbation of a two-year-old child’s asthmatic wheezing. Tenants described entry doors and windows in several units which do not properly close and are cracked, allowing unauthorized access and freezing wind inside. Conditions also include severely damaged floors, with holes

large enough that tenants risk falling through them, and sharp, broken pieces of tile which can cause injury. Stairs within the complexes are unstable and structurally unsound. Two tenants detailed dangerously unstable flooring underneath their bathroom toilets. Toilets also overflow, releasing sewage into the units. One unit was even condemned in January 2025 due to sewage which was leaking in from the basement. This unit continues to be filled with an indescribably putrid odor from the sewage. Similarly, water is leaking from one tenant's bathroom into her kitchen. A tenant has lacked a working stove for three years, and another tenant lacks a functional pilot light on her stove. Ceilings are constantly leaking, and paint is chipped, peeling, and moldy throughout the units. One tenant detailed the rotted wood of the roof above his apartment, which he fears may lead to condemnation of his home for the second time in a little more than one year. Water leaks, including from broken kitchen sinks, are at risk of causing electrical fires due to exposed wiring and proximity of the leaks to electric stoves. Respondents have also failed to repair a shower head which is falling out of the wall. A diabetic tenant who requires insulin medication which must be kept cold stated that her fridge needed to be replaced and that Respondents have yet to offer her a new fridge. One tenant also states that her smoke alarm is broken and several electrical outlets are not working.

20. Respondents have not only ignored tenants' requests for repairs, but have also failed to offer tenants leases, creating uncertainty and fear as to the status of their tenancies.

21. The conditions detailed by the 11 tenants at the Kenney Apartments are reflective of a pattern of owner neglect that has led to significant disrepair in the Kenney Apartments, as confirmed by the violations issued by the City of Newburgh Code Enforcement cited above.

22. One of the nine tenants who filed a proceeding in City Court, Wilhelmina Lamb, has lived at the Kenney Apartments for 27 years. She describes the heat and hot water issues as

“prolonged,” stating, “Some people are scared to open their mouths for fear of being thrown out of here, but I’m not afraid. We’re all just looking for respect.”³ Tenants at the Kenney Apartments made hundreds of calls to management regarding conditions, yet the repairs remained unaddressed.⁴ Based on the sustained lack of heat and hot water for months this winter, tenants at the Kenney Apartments were using space heaters, turning on their ovens, and boiling water on their electric stoves to keep warm, leading to exorbitant electric bills.

C. Town Hall Meeting

23. On January 7, 2026, the City of Newburgh hosted a town hall meeting regarding the conditions at the Kenney Apartments. The nearly 100 tenants who attended the meeting described crumbling floors, black mold, mice infestations, broken appliances (including a tenant who for the past three months has lacked a working fridge), faulty and exposed wiring, missing smoke detectors, flooding, and raw sewage.⁵ One tenant at the town hall, a mother of two children including a child who has asthma, said that boiling her water every morning as a heat source has caused substantial stress, and that the use of space heaters had “made [her] electric bills go through the roof.”⁶ Her remarks concluded with a statement regarding the lack of response by the owner and management: “We’ve made so many calls, and nothing is being done.”⁷

³ Jeanine Agnolet, *Freezing City of Newburgh Tenants Appeal for Heat and Hot Water*, Mid-Hudson News (January 2, 2026) <https://midhudsonnews.com/2026/01/02/freezing-city-of-newburgh-tenants-appeal-for-heat-and-hot-water/>. (accessed on January 26, 2026)

⁴ *Id.*

⁵ *Kenney Apartments Residents Demand Answers*, Hudson Valley Press, <https://hudsonvalleypress.com/2026/01/14/kenney-apartments-residents-demand-answers/> (January 14, 2026)(accessed on January 26, 2026).

⁶ *Id.*

⁷ *Id.*

CAUSES OF ACTION
FIRST CAUSE OF ACTION

EXECUTIVE LAW § 63(12) REPEATED AND PERISISTENT ILLEGALITY
Repeated Violations of the City and State Code

24. The State repeats and realleges each of the foregoing paragraphs as if fully set forth herein.

25. Chapter 190 of the City of Newburgh Code of Ordinances (“Newburgh Code”) contains the “Minimum Housing Standards Ordinance,” which establishes minimum standards governing the condition and maintenance of buildings, and the responsibilities and duties of owners, operators, and agents. The purpose of this code is to “protect the public health, safety, morals, and welfare of the people of the City of Newburgh.” Newburgh Code § 190-3(A). As set forth above, Respondents have repeatedly and persistently violated this code and failed to remedy violations by the compliance deadlines set by the City of Newburgh. As set forth in the Notices of Violation issued by the City, failure to correct violations by the compliance deadline is subject to a fine of \$250 per day, or imprisonment not exceeding 15 days, or both.

26. The Property Maintenance Code of the State of New York (“PMCNYS”) is part of the New York State Fire Prevention and Building Code. The PMCNYS establishes minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. The City of Newburgh Code Enforcement issues violations based on the 2020 edition of PMCNYS, which is the most recent edition. As set forth above, Respondents repeatedly failed to comply with the PMCNYS and failed to remedy violations by the compliance due dates set forth

in the Notices of Violation. Any person who violates an order to remedy a condition pursuant to the PMC is subject to a fine of up to \$1,000 per day. *See* Executive Law § 382(2).

27. As set forth above, Respondents' conduct constitutes repeated and persistent illegality in violation of Executive Law § 63(12).

SECOND CAUSE OF ACTION

EXECUTIVE LAW § 63(12) REPEATED AND PERISISTENT ILLEGALITY Violations of Warranty of Habitability - Real Property Law §§ 235-b

28. The State repeats and realleges each of the foregoing paragraphs as if fully set forth herein.

29. Pursuant to RPL § 235-b, tenants living in Respondents' properties must have leases that include an implied warranty that the premises and the common areas are: 1) fit for human habitation, 2) fit for uses reasonably intended by the parties, and (3) that the occupants of those premises will not be subjected to any conditions which would be dangerous, hazardous or detrimental to their life, health or safety.

30. Respondents' own and/or manage residential properties that fall within the scope of the implied warranty of habitability codified in RPL § 235-b.

31. As set forth above, Respondents failed to maintain their premises in a habitable and usable manner. The conditions at Respondents' properties were often dangerous and/or detrimental to life, health or safety of the buildings' tenants.

32. Further, Respondents failed to maintain their properties in accordance with the uses reasonably intended for the tenants.

33. Respondents were repeatedly cited by the City of Newburgh for these conditions yet failed to timely make repairs and maintain services. Some violations remained open for months, or even years, past their compliance due dates. As such, Respondents breached the warranty of habitability under RPL § 235-b.

34. As set forth above, Respondents' conduct constitutes repeated and persistent illegality in violation of Executive Law § 63(12).

WHEREFORE, Petitioner requests that the court grant relief pursuant to Executive Law § 63(12) against Respondents by issuing an order and judgment as follows:

1. Permanently enjoining Respondents from violating Executive Law § 63(12), RPL § 235-b, and City of Newburgh and State property maintenance and fire codes, and from engaging in the deceptive and illegal practices alleged herein;

2. Permanently enjoining Respondent from engaging in the property management and maintenance business within the State of New York until a \$300,000 performance bond is filed with the OAG by a surety or bonding company licensed by and in good standing with the New York State Department of Insurance, guaranteeing that Respondents comply with any injunction which may be entered herein, the proceeds of that bond to provide a fund to ensure payment of restitution and costs herein;

3. Ordering Respondents to perform the following actions:

a) Ordering Respondents to correct all outstanding violations issued by the City of Newburgh Building Department's Bureau of Code Compliance, within 30 days of the date of judgment;

b) Ordering Respondents to rehabilitate any previously condemned apartments within 30 days of the date of the judgment;

c) Within 14 days of the date of the judgment, ordering Respondents to hire an independent expert in heating systems and maintenance to assess the sustainability of the two boilers at the Kenney Apartments and prepare a written report;

d) Ordering Respondents to thereafter comply with the expert's opinion as to the measures required to return the heating system to ongoing full functionality, including replacement of either or both boilers within 30 days of the expert's report;

e) Enjoining Respondents from retaliatory action against tenants based on complaints of unsafe or unsanitary conditions;

f) Enjoining Respondents from obtaining judgments against tenants who have withheld rent based on conditions in their apartments, pending the determination of restitution in this proceeding;

g) Within 30 days of the date of the judgment, ordering Respondents to hire a licensed mold assessment professional to conduct a mold assessment in all units and common areas;

h) For each unit where mold is identified by the licensed mold assessment professional, pursuant to Article 32 of the New York State Labor Law, ordering Respondents to hire a separate licensed mold remediation contractor to develop a mold remediation work plan developed in line with the assessment, within 15 days of receipt of such assessment;

i) Within 45 days of the submission of a mold remediation work plan or an otherwise appropriate timeframe, ordering Respondents to conduct mold remediation using a licensed mold remediation contractor for all impacted units;

4. Ordering the appointment of an independent monitor to oversee and report on Respondents' compliance with these Court-ordered obligations in paragraphs 3 (a-i) to assess

each unit and correct conditions dangerous, hazardous or detrimental to their life, health or safety; such monitor to be fully paid by Respondents;

5. Ordering Respondents to file with the OAG reports generated by the independent monitor regarding Respondents' compliance with repair of violations every six months for three years following the date of the judgment;

6. Ordering Respondents, for each property where substantial rehabilitation work will be undertaken to correct conditions requiring Respondents to provide alternative housing accommodation for tenants, to provide tenants with safe and conveniently located accommodation while repairs are being performed and/or ordering Respondents to pay impacted residents appropriate compensation to relocate temporarily;

7. Awarding restitution to tenants for Respondents' breach of the implied warranty of habitability, including but not limited to rent abatements and compensation for costs associated with residents heating their own units with space heaters or other alternative sources of heat;

8. Enjoining Respondents from selling any properties unless and until all unsafe and/or unsanitary conditions are repaired;

9. Awarding Petitioner costs and disbursements, together with an additional allowance of \$2,000 per Respondent pursuant CPLR § 8303(a)(6); and

10. Maintaining continued jurisdiction over this proceeding for a one-year period following the date of judgment for the determination of any disputes arising from the enforcement of the order;

11. Granting Petitioner any such other and further relief as the Court deems just equitable and proper.

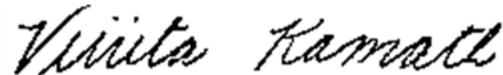
DATED: Poughkeepsie, New York
February 2, 2026

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VERIFICATION

STATE OF NEW YORK)
COUNTY OF DUTCHESS) ss.:

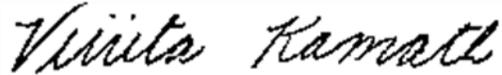
VINITA KAMATH, being duly sworn, deposes and says: I am an Assistant Attorney General in the office of Letitia James, Attorney General of the State of New York, and am duly authorized to make this verification.

I have read the foregoing petition and know the contents thereof, and the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, and as to those matters I believe them to be true.

The reason this verification is not made by petitioner is that petitioner is a body politic. The Attorney General is petitioner’s statutory representative.

Sworn to on the 2nd day
of February 2026

VINITA KAMATH



Assistant Attorney General
of the State of New York