



## **FRANCISCA LOPEZ v. NEW YORK CITY HOUSING AUTHORITY**

597 N.Y.S.2d 402 (1993) | Cited 0 times | New York Supreme Court | May 18, 1993

Order, Supreme Court, Bronx County (Howard Silver, J.), entered on or about October 2, 1992, which denied petitioner's application to serve a late notice of claim and dismissed the petition, unanimously affirmed without costs and disbursements.

We agree with the IAS court that notwithstanding the accident report prepared by respondent's staff on the same day that petitioner fell in respondent's building, the record does not show that respondent had actual knowledge of the claim and that the failure of petitioner's two prior attorneys to timely serve a notice of claim is not a sufficient excuse for the delay (see, *Chattergoon v. New York City Hous. Authority*, 161 A.D.2d 141, 167 A.D.2d 991, 572 N.Y.S.2d 987, 554 N.Y.S.2d 859, *aff'd* 78 N.Y.2d 958, 580 N.E.2d 406, 574 N.Y.S.2d 934).

ENTERED: May 18, 1993

