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This memorandum is uncorrected and subject to revision before  
publication in the New York Reports.

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No. 102 SSM 4  
Douglas L. Leight, et al.,  
                                Plaintiffs,  
John H. Masten,  
                                Appellant,  
                                v.  
W7879 LLC, et al.,  
                                Respondents.

Submitted by Seth A. Miller, for appellant.  
Submitted by Patrick K. Munson, for respondents.  
Metropolitan Council on Housing, amicus curiae.

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On review of submissions pursuant to section 500.11 of the Rules,  
order affirmed, with costs, and certified question not answered  
upon the ground that it is unnecessary. Plaintiff John H. Masten  
failed to establish that his apartment, which was de-regulated in  
2000 by an unchallenged order of the Division of Housing and  
Community Renewal, became re-regulated when he executed a renewal  
lease at market rate. Chief Judge DiFiore and Judges Pigott,  
Rivera, Abdus-Salaam, Stein, Fahey and Garcia concur.

Decided March 24, 2016