

**DISTRICT COURT OF NASSAU COUNTY
FIRST DISTRICT CIVIL PART 2**

-----X,
ADVANCED COMPATIBLE SOLUTIONS, INC.
D/B/A ACS FIRE & SECURITY,

Plaintiff(s)

INDEX NO. CV-16369/21

Present:

against

HON. ROBERT E. PIPIA

US ASSETS, INC.,

Defendant(s)

-----X
**The following named papers numbered 1 to
submitted on this motion on January 4, 2022**

	papers numbered
Notice of Petition	1
Affirmation in Opposition	
Affirmation in Reply	

Petitioner moves pursuant to CPLR 7510 and 7514, for an order confirming an arbitration award dated October 4, 2021, in the amount of \$3,079.09 together with interest from October 4, 2021, plus costs and disbursements. Additionally, petitioner seeks an award of \$1,800.00, for counsel fees. Petitioner's application is unopposed.

On December 11, 2020, petitioner and respondent entered into a written contract for monitoring of a fire alarm system. Pursuant to the contract terms, respondent was to make certain payments. The agreement also stated that the parties agreed that any dispute should be determined by mandatory binding arbitration administered by Arbitration Services, Inc.

Petitioner alleges that respondent breached the contract by failing to make the required payments. On August 20, 2021, petitioner served its demand for arbitration (Exhibits A, C). A hearing was held on October 4, 2021, at which time arbitrator Allan L. Pullin, Esq., found respondent in default. Following a review of petitioner's documentary evidence, the arbitrator awarded petitioner the sum \$3,079.09 (Exhibit D).

Civil Practice Law and Rules Section 7510 provides that a court "shall confirm an award upon application of a party made within one year after its delivery to him, unless the award is vacated or modified upon a ground specified in section 7511." As petitioner's application is unopposed and was brought within the requisite one-year period, the court hereby confirms the arbitrator's award.

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Accordingly, petitioner's application is granted in its entirety, and it is

ORDERED that judgment be entered against respondent, and in favor of petitioner, in the amount of \$3,079.09 with interest from October 4, 2021, together with costs and disbursements; and it is further

ORDERED that petitioner is awarded counsel fees in the amount of \$1,800.00, pursuant to Rule 38 (c) of the Commercial Arbitration Rules.

This constitutes the decision and order of the court.

So Ordered:

/S/ HON. ROBERT E. PIPIA
DISTRICT COURT JUDGE

Dated: January 24, 2022

CC: Kirschenbaum & Kirschenbaum, P.C.
US Assets, Inc.

REP:mc