

hazardous condition on the sidewalk (see *Titova v D'Nodal*, 117 AD3d 431 [1st Dept 2014]). Defendant Emily Glaser testified that two independent contractors cleared the sidewalk of snow and ice and put down salt and/or sand on the morning of the accident, and that the last contractor finished working not more than an hour before plaintiff's fall (see *Ortiz v Citibank*, 62 AD3d 613 [1st Dept 2009]). Ms. Glaser also testified that there was no snow or ice on the walkway shortly after plaintiff's fall. Although Ms. Glaser testified that the sidewalk "glistened" and was "wet" after the accident, this is not evidence that defendants' snow removal caused ice.

In opposition, plaintiffs failed to raise material questions of fact. Plaintiffs' claim that defendants' snow removal efforts created an icy condition is unsupported by any evidence (see *Joseph v Pitkin Carpet, Inc.*, 44 AD3d 462, 464 [1st Dept 2007]). Although plaintiff testified that he slipped on ice, he was unable to give any details about the ice or the condition of the sidewalk. Plaintiff's affidavit attesting that he did not observe any salt or sand on the sidewalk fails to create a

factual issue, as it contradicts his deposition testimony (see *Titova*, 117 AD3d at 431).

We have considered plaintiffs' remaining contentions and find them unavailing.

THIS CONSTITUTES THE DECISION AND ORDER
OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: MARCH 3, 2015

A handwritten signature in black ink, appearing to read "Susan R. [unclear]", written over a horizontal line.

CLERK