



Commercial Landlord/Tenant Litigation

At Burr & Forman, we have been representing clients, both landlords and tenants, in a wide spectrum of commercial leasing and related issues, including commercial landlord/tenant litigation, for decades. Our extensive experience is critical because there are few, if any, issues that we have not managed successfully for clients. Burr understands all aspects of commercial leasing and commercial landlord/tenant litigation, from beginning to end, whether industrial, office, retail, restaurant, or otherwise. Our experience gives us both comprehensive legal knowledge and practical knowledge, and enables Burr to provide its commercial leasing clients with creative solutions to its commercial lease problems. With the quality and depth of our legal team, we can respond quickly and efficiently to our clients' problems and opportunities, whether routine or complex.

Whether your leasing and commercial landlord/tenant litigation issues are complex or simple, we can help you with:

- Acquisition and Development
- Zoning
- Lease Negotiation
- Lease Drafting
- Lease Amendments and Assignments
- Use Issues
- Liquor Licensing
- Condemnation Actions
- CAM Disputes
- Guaranty Disputes
- Lease Buyouts

PROFESSIONALS

Ron B. Cohn

William S. Hereford

Heather A. Jamison

Joe A. Joseph

Derek F. Meek

J. Patrick Warfield

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- Lease Termination
- Lease Reinstatement
- Abandonment
- Landlord Liens
- UCC-1 Security Interests

- Notices
- Evictions
- Lease and Guaranty Litigation
- Counterclaims
- Past Due Rent
- Accelerated Rent
- Recovery of Attorney's Fees
- Recovery of TIA, Broker Fees, etc.
- Judgment Collection
- Bankruptcy
 - Relief from Stay
 - Assumption and Rejection
 - Assignments
 - Lease Auctions
 - Store Closing Procedures
 - GOB Sales

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Why Burr is the Right Firm for Landlords with Tenants in Bankruptcy

Results Matter. Burr provides its commercial landlords with creative solutions, practical advice, and strong representation at a competitive rate. Burr understands the commercial landlord's business and can anticipate and quickly address the landlord's concerns, in light of the landlord's goals, prior to and during a tenant's bankruptcy case.

Nationwide Representation. Burr has one of the largest bankruptcy groups in the Southeast and represents clients nationwide. To better serve its clients, Burr has an office in Delaware (where many national retail bankruptcy cases are filed). Burr's experience and breadth in retail bankruptcies gives landlords the ability to better and more economically obtain representation in a tenant's bankruptcy case.

Services. Burr can efficiently handle all of the issues that typically arise in retail bankruptcies, such as lease amendments, assumption/assignment/rejection of unexpired leases, rejection procedures, lease sale procedures, GOB sales, administrative priority claims, and lease rejection claims. Burr also has experience representing buyers of leases that are sold at lease auctions, usually the landlord, but sometimes third-party buyers. Debtors often seek expedited relief on only a few days' notice, so Burr keeps an eye on the daily filings to update clients and draft objections.

Competitive Rates. Burr's footprint and bench strength are ideal for commercial landlords without a dense national footprint or unlimited legal budget. Burr typically represents multiple landlords in bankruptcy cases, so all case monitoring and client updates are billed and split equally between all landlords Burr is representing. That means that the more landlords Burr represents, the smaller portion of legal fees each landlord incurs. Additionally, if two or more landlords are taking the same position on an issue (as is usually the case), the landlords then have the power of numbers behind their position.

Representative Cases. Paper Source, Belk, L'Occitane de Provence, Francesca's Collection, SteinMart, Ascena (Ann Taylor, LOFT, etc.), Tailored Brands (Jos. A. Bank/Men's Wearhouse), J.Crew, Madewell, Brooks Brothers, Forever21, HairCuttery, Krystal's, Kona Grill, Bar Louie, Steel City Pops, Toys R' Us, Gymboree/Crazy 8's, BCBG, Charming Charlie, Macaroni Grill, David's Bridal, The Sports Authority, Coldwater Creek, Ritz Camera, Circuit City, Sharper Image, Organized Living, etc.

Noteworthy

Burr's commercial leasing and landlord/tenant litigation experience includes:

- Drafting and negotiating all leases for redeveloped property and addressing concerns related to environmental issues and historical tax credits
- Assisting a client nationwide in negotiating and litigating disputes that arose when the client's lease assignee defaulted on many leases
- Defending a tenant against having a terminated lease when the landlord did not comply with applicable notice requirements
- Litigating disputes over sound levels between adjoining tenants

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- Assisting a client in assignment, amendment, and termination of leases following that client's foreclosure of the shopping center
- Determining the proper method to dispose of a tenant's property left on the premises on a case-by-case basis
- Obtaining judgments for rent, but also for accelerated rent, reletting costs, and other costs incurred by a landlord when a tenant breaches its lease

News

- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List
Firm News, 11.28.2023
- Derek Meek Named to Turnaround Management Association Hall of Fame
Firm News, 10.12.2023
- Seven Burr Attorneys Named to Lawdragon's 2023 List of Leading Bankruptcy & Restructuring Lawyers
Firm News, 06.29.2023

Publications

- U.S. Supreme Court Ruling May Impact Property Rights in Alabama
Media Mention, 06.05.2023