

## **NEWS RELEASE**

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- Judgment for possession in favor of a New Jersey landlord marks significant victory for multi-family property owners affected by the aftermath of super storm Sandy
- Case to serve as a model at upcoming educational seminar for industry professionals

“While there always seems to be a steady wave of new and emerging landlord/tenant issues, super storm Sandy is currently feeding a surge in claims associated with this catastrophic event.” – *Tracey Goldstein, Esquire and member of Feinstein, Raiss, Kelin & Booker, L.L.C., the firm representing the landlord*

### **FEINSTEIN, RAISS, KELIN & BOOKER, L.L.C. ADVOCATES AND EDUCATES ON BEHALF OF NJ LANDLORDS IN COURT AND BEYOND**

#### ***Recent Important Victory for Multi-Family Property Owners to Serve as Learning Model***

WEST ORANGE, N.J., May 9, 2013 – [Feinstein, Raiss, Kelin & Booker, L.L.C.](http://www.feinsteinraisskelin.com) (FRKB), a widely respected general practice law firm that focuses its practice on real estate-related matters, is steadfast in its commitment to advocate on behalf of multi-family property owners and managers in court and beyond. In addition to litigating some of today’s most ardently contended landlord/tenant issues, the firm’s legal authorities also serve as educators at some of the industry’s most prominent events.

“While there always seems to be a steady wave of new and emerging landlord/tenant issues, super storm Sandy is currently feeding a surge in claims associated with this catastrophic event,” said Tracey Goldstein, Esquire and FRKB member.

Recently, FRKB obtained a significant victory for multi-family property owners in New Jersey affected by the aftermath of Sandy. Angela Gurrera, Esquire, an attorney at FRKB, filed a summary dispossess action based upon non-payment of rent on behalf of an Essex County landlord in this important Trial Court decision.

The action sought the eviction of a tenant who withheld rent as a result of lack of electricity, heat and hot water in the apartment, caused by super storm Sandy. The tenant withheld his rent during a two-week period last November because he alleged the unit was uninhabitable.

Essex County Superior Court Judge Mahlon Fast denied the tenant's request for a rent abatement, holding that the lack of electricity, heat and hot water was not the result of any latent defects in facilities, nor the result of any fault by the landlord. Rather, it was "a unique situation unquestionably beyond the power of the landlord to have reasonably avoided or corrected."

"The Court ruled that restoration of power was solely within the control of the power supplier, and therefore resulted in a judgment for possession in favor of the landlord," said Gurrera.

### Latest Case to be Highlighted at Upcoming Conference

In addition to securing noteworthy court decisions, FRKB's legal counselors also lead specialized education seminars on the latest issues confronting landlords and property managers, including storm preparedness.

"Our goal is to offer clients and industry professionals the tools to protect themselves from costly lawsuits, now and in the future," explained Goldstein, who will highlight the recent Essex County Trial Court decision at the New Jersey Apartment Association's (NJAA) 24<sup>th</sup> Annual Conference and Expo in Atlantic City, N.J.

The session, entitled "Storm Preparedness: Protect Yourself," is being held on Wed., May 22 from 4:15 to 5:15 p.m. at the Atlantic City Convention Center, located at 1 Convention Blvd. in Atlantic City. Panelists also will address insurance considerations, such as coverage and submission of claims.

Goldstein encourages landlords and property managers to become more familiar with issues that arise in the aftermath of storms where there may or may not be physical damage to the premises. "The multi-family apartment industry was hit hard by super storm Sandy, with record-setting damages in the billions of dollars along the entire East Coast," she noted. "It is important to protect yourself and your asset against future storms of a similar or greater intensity."

A sought-after guest speaker for a wide range of landlord/tenant issues, including fair housing, bed bugs, and residential and commercial evictions, Goldstein has handled matters in the New Jersey State and Federal Trial Courts as well as in the Appellate Division and the New Jersey Supreme Court. Her clients often include property owners, managers and developers.

FRKB was established in 1991 as a general practice law firm with a concentration in real estate. The firm's diverse clientele includes individuals, owners, property managers, builders and developers. In addition to its distinguished reputation for handling commercial real estate transactions, the firm's Litigation Department focuses on commercial litigation matters and landlord tenant law.

For more information on this program or to register for the conference, visit [www.njaa.com](http://www.njaa.com).

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