Commercial landlords may do this to prevent a tenant from taking valuable equipment, writes Matthew Sackel

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West Palm Beach business litigation partner Matthew Sackel recently published the article “Fear Not—All May Not Be Lost (Or Removed) If The Landlord Can Obtain A Distress Writ” in the Fall 2016 edition of ActionLine, a publication by the Real Property Probate and Trust Law Section of the Florida Bar.

The article analyzes case law concerning a commercial landlord’s remedies in preventing a tenant from taking equipment from the premises. According to Matthew, in addition to an action for eviction and money damages, a landlord may also seek a distress writ, which doesn't allow a tenant to remove or destroy any of the valuable property. While the commercial landlord may request a distress writ from a judge without the tenant's attorney present, there are requirements that need to be met, such as posting a bond.

Read more here.

About Matthew Sackel

Matthew Sackel is a partner in the West Palm Beach office and a member of the firm's Business Litigation Practice Group. He regularly represents financial institutions, corporations and individuals in commercial matters, including real estate litigation, landlord/tenant matters, partnership disputes, guardianship proceedings and other commercial litigation matters.

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