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

9.22.16

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.

Professionals

Matthew S. Sackel

Practice Areas

Litigation
Real Estate

Industries

Real Estate