

Profile of the Week

**Jeffrey Metz,
Adam Leitman Bailey P.C.**

Metz aiming for All-Star status at growing law firm Real Estate Weekly, Jan 28, 2009 by Daniel Geiger

Jeffrey Metz, a well-known real estate lawyer has joined the law firm Adam Leitman Bailey P.C.

Metz had previously worked in the appeals bureau of the firm Borah, Goldstein, Altschuler, Nahins and Goidel, P.C. and over his career has been involved in cases that have established notable precedents in both commercial and residential real estate law.

"By having Jeffrey Metz join our firm, we are one step closer to building the best real estate law firm in New York," said Adam Leitman Bailey, the firm's founder. "Jeffrey is our Jeter, Rodriguez and Rivera all rolled into one. We are very excited to have the most preeminent appellate attorney in New York join Adam Leitman Bailey, P.C."



One of Metz's victories early in his career came in 1985 in the case *Sullivan vs. Brevard Associates*. In that suit, Metz's arguments helped establish succession regulations for apartments in the city that are still in place today.

Metz again gained attention in real estate law circles in the mid 1990s for representing Holy Properties in a suit against the retailer Kenneth Cole. The case was launched according to Metz after Kenneth Cole abandoned a lease it had signed with Holy in Manhattan after the apparel maker found less expensive space elsewhere.

Holy Properties was able to replace Kenneth Cole with another tenant but wanted Cole to provide compensation for the value of the lease it had abandoned.

According to Metz, courts at the time usually required landlords who found replacements for deadbeat tenants to credit the stream of income from the new lease towards the previous tenant's remaining obligation. Sometimes courts let tenants who broke their leasing commitments off the hook entirely if a new tenant was found to replace them.

But Metz won Holy Properties the full value of the lease from Cole and, in the process, established a precedent that courts should give landlords the power to extract the full value of a broken lease independent of the previously important consideration of how successful they were in finding a new taker for the space. Adam Leitman Bailey, gushed that the case was one of the most important real estate judgments of the 20th century.

Metz has continued his influential work. In 2004, he won a case, Classic Properties LLC vs. DHCR before the court of appeals that closed a tax loophole some rent regulated tenants had been using to mask income levels that would disqualify them from the program.

Last year Metz successfully represented the owner of 211 West 56th Street in a case against the restaurant Hooters, the building's retail tenant. The suit shifted onerous insurance responsibilities that had been placed on the landlord to the tenant.

"I have been fortunate enough to be involved in well over two hundred appeals before the court of appeals" and other state and city courts, Metz said. "I hope that my new position with Adam will give me more exposure ... we have an important service we can perform and are willing to get involved."