

People



Michael T. Carr

Partner, Litigation

New York

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vCard

Michael Carr focuses his practice on real estate litigation with an emphasis on real estate operations and landlord/tenant lease litigation. Michael regularly advises some of New York City's largest landlords, developers, and managers to address their ever-changing real estate operational needs. He stays at the forefront of legislative changes to ensure his clients' interests are protected while operating within a challenging and increasingly regulatory legal landscape. Michael has significant experience with Local Law 97, which is a top concern for both landlords and tenants. He recently published a three-part Local Law 97 article series featured in *Brick Underground's* new Boards & Buildings section, demonstrating his leadership in this area of law.

The dynamic and ever-evolving scope of Michael's practice demonstrates his ability to guide clients through a range of real estate issues as they arise, most recently as a result of the COVID-19 pandemic. While the commercial real estate sector endured extended lockdown periods as well as prolonged eviction moratoriums, Michael was instrumental in securing stabilized cashflow for his clients. Michael's practice has expanded from what was chiefly a residential landlord/tenant specialty to counseling some of New York City's most prominent commercial owners, operators, and developers facing business disputes, managerial needs, partnership litigation, corporate litigation, and asset operation. Michael recently represented multiple condominium sponsors in connection with disputes with their respective condominium boards regarding sponsors' rights. He is also an active member of Building Owners & Managers Association (BOMA) New York, advising both its Codes and Regulations and Business & Marketing Strategy Committees. Additionally, he has represented large multigenerational families in real estate transactions, inner-family disputes, and partnership disputes.

Michael has successfully tried jury and non-jury cases, litigating cases in Federal District Court and in New York State trial and appellate courts. He also has represented clients before various New York City administrative agencies including, the Office of

Areas of Experience

Litigation
Real Estate Litigation
Real Estate Acquisitions and Sales
Commercial Disputes
Commercial Leasing and Development

Education

J.D., Brooklyn Law School, 2010
B.A., Binghamton University, 2006

Admissions

Bars

New York
New Jersey

Courts

U.S. District Court, Eastern District of New York
U.S. District Court, Southern District of New York
U.S. District Court, District of New Jersey

Related Content

Akerman Grows NY Office With Intellectual Property and Franchise and Licensing Partners
October 24, 2024

Akerman Expands with W.R. Berkley Corporation's Lead Employment Counsel Adam Mocchiolo
October 07, 2024

New York Real Estate Litigator Michael T. Carr Joins Akerman
April 10, 2024

Administrative Trial and Hearings and the Environmental Control Board. Although he is always prepared to take cases to trial, his first instinct is to find a weakness in the opposition's case in order to gain an advantage in settlement negotiations.

Notable Work

COVID-19 Commercial Real Estate Work:

- Represented a major NYC developer/owner in multiple lease disputes as well as the re-writing of the developer's standard commercial lease language, implementing significant amendments and changes.
- Renegotiated dozens of distressed leases with anchor tenants, including Taco Bell and Boston Market, during the COVID-19 pandemic in order to stabilize landlord revenue stream during the lockdown.
- Negotiated multiple access license agreements in connection with neighbors' construction pursuant to RPL 881.
- Represented a major NYC developer/owner in securing summary judgment against a restaurant tenant for breach of lease during the pandemic, including an award for damages and attorneys' fees.
- Represented a Bronx owner in securing summary judgment against guarantors of a storefront lease, including six figures of damages, payment, and satisfaction on the judgment, as well as attorneys' fees.
- Liquidated a client portfolio across six different buildings on the Sunbelt.

Real Estate Litigation:

- Represented an owner in drawing down on defaulting tenant's letter of credit in order to satisfy substantial unpaid rent arrears. This unique case also involved the total re-seizing of building control, successfully evicting the tenant, who also acted as building manager.
- Represented an owner in the major redevelopment of six storefronts on 6th Avenue in Manhattan, a case which involved the creative leverage of unique lease defaults throughout eviction proceedings to vacate the entire storefront area for redevelopment.

Real Estate Transactions:

- Represented a co-owner in the sale of 310-312 E 35th Street, New York, NY
- Represented a seller of 528 Bergen Street, Brooklyn, NY, in the sale of the building.
- Represented a seller of 543 Bergen Street, Brooklyn, NY, in the sale of the building.
- Represented a seller of 3249 South County Road, Odessa, TX, in the sale of the property.

Published Work and Lectures

- *New York Law Journal*, Author, "Local Law 97: Condominium and Cooperatives Facing Unique Financing Challenges," February 2024

- *Brick Underground*, Author, “Navigating Funding Obstacles Faced by Condo and Co-Op Buildings Complying with Local Law 97 (Part III),” December 2023
- *Brick Underground*, Author, “Financing Options to Help NYC Buildings Comply with Local Law 97 Emissions Limits (Part II),” December 2023
- *Brick Underground*, Author, “Local Law 97 Kicks Off This January - Is Your Building on Track? (Part I: Overview),” October 2023
- Bisnow’s New York Economic Forecast, Moderator, “Keeping & Growing Your Team: Retention & Talent Acquisition,” November 2022
- Building Owners & Managers Association (BOMA), Emerging Leaders Webinar, Speaker, Leasing Basics: Term Sheet and Fundamental Considerations,” October 2022
- Property Management Construction Real Estate Convention, Speaker, “Reasonable Perspective on How to Adapt the New Paradigm with Rental Laws,” August 2019

Affiliations

- Building Owners & Managers Association (BOMA), Codes and Regulations, Legal Subcommittee Chair
- Kings County Housing Bar Association, Member
- Brooklyn Bar Association, Member
- National Eagle Scout Association (Eagle Scout Award, 2001), Member