

In The News

Richard Leland Comments on New York Rent Overcharge Case in *The City* Article

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Richard Leland was quoted in a *The City* article reporting on a rent overcharge case potentially heading to the U.S. Supreme Court. According to the article titled, “Landlord Looks to Supreme Court in Downtown Rent Overcharge Fight,” a Manhattan landlord filed petition to the high court seeking a review of a 6-1 ruling by the New York Court of Appeals, which ruled that its tenants should have had rent-stabilized leases for years because the landlord benefited from a tax break.

Leland elaborated that precedent is likely not on the landlords’ side, pointing out that a 1978 Supreme Court Case over development at Grand Central Terminal determined, “depriving a property owner of the highest and best use of his or her property is not a regulatory taking. The concern is, at least if I were a plaintiff, is that it’s a very fact-specific analysis. It means a court making a finding a fact. And the Supreme Court usually does not overturn findings of fact. It deals with findings of law.”

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