



## Israel A. Katz

**PARTNER**

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### About

**Israel A. Katz**, a Super Lawyers Rising Star for the years 2021-2025, is a Partner in the Firm's Litigation Group and has significant litigation experience in both New York State and Federal Court in a broad range of real estate related matters, including purchase and sale disputes, disputes in connection with commercial leasing, complex real estate joint ventures, title issues such as ownership, priority, and boundary disputes, construction and construction related financing, and condo and cooperative management and construction related issues. Mr. Katz routinely drafts pleadings, substantive motions, and discovery related documents, regularly conducts and defends depositions and appears for court conferences and oral argument in connection with these matters.

### Some of Mr. Katz's recent victories and accomplishments for the Firm's clients, include:

- Won summary judgment on behalf of a condo board finding unit owner liable for all security and attorney fees incurred by condo related to unit owner's unruly tenants
- In a highly contested RPAPL 881 access dispute, successfully obtain order for access for condominium client and reduction in monthly license fee from \$15,000 to \$4,500 per month
- Represented purchaser of high-end condo in Manhattan and successfully negotiated a steep price discount from sponsor seller after purchaser discovered variations in apartment layout from terms of offering plan
- Represented purchaser of high-end luxury condo in Brooklyn apartment and successfully negotiate 50% return of contract deposit from escrow.

### Education

#### Juris Doctorate

Brooklyn Law School

- cum laude
- Certificate in Real Estate Law
- Executive Articles Editor, Brooklyn Journal of Corporate, Financial & Commercial Law

### Practice Areas

- Commercial Real Estate Litigation
- Landlord and Tenant Disputes
- Appellate Litigation

### Admissions

- New York
- US District Court for the Southern District of New York
- US District Court for the Eastern District of New York

### Honors & Awards

- Super Lawyers®, New York Metro Area, Real Estate (2014 – 2025)
- Best Lawyers®, Real Estate Law (2026)

- Represented purchaser of home in homeowners' association and successfully terminated contract and obtained 100% contract deposit return.
- In three separate transactions in New York City and Long Island, represented purchasers in multi-million dollar purchase and sale disputes to recover deposits from escrow or negotiate significant purchase price discounts from sponsor sellers;
- Won summary judgment and obtained a judgment in excess of \$1.7MM for a landlord client and against a commercial tenant and its lease guarantor consisting of unpaid rent, real estate taxes, recaptured abated rent and brokerage commissions. In granting summary judgment, the Court dismissed each of tenant's and guarantor's sixteen affirmative defenses and awarded the landlord summary judgment on the amounts set forth in the complaint as well as an award of attorneys' fees incurred in prosecuting the action to judgment;
- In a commercial lease dispute in the United States District Court for the Southern District of New York, win summary judgment and ultimately obtain \$1.9 Million Federal Court judgment against commercial tenant and lease guarantor;
- In a pre-Roberts mistaken deregulation J-51 status/overcharge case, obtained partial summary judgment dismissing Plaintiff/tenant's status and overcharge claims and awarding our landlord client summary judgment on our counterclaim for unpaid rent through lease expiration;
- Successfully obtained post-answer dismissal of condominium owner purchaser construction-related claims of anticipatory breach of contract, breach of contract, fraud in the inducement and fraudulent conveyance;
- In two recent commercial purchase and sale agreement disputes involving two commercial properties in the Bronx and Brooklyn, successfully terminated agreements and recovered the respective purchasers' contract deposits from escrow;
- In a commercial lease dispute in the United States District Court for the Southern District of New York, successfully obtained awards of summary against lease guarantor in excess of \$5MM plus legal fees. Notably, the District Court and the Second Circuit Court of Appeals rejected lease guarantor's arguments that the broad third party release in the commercial tenant's bankruptcy plan relieved guarantor of liability under the guaranty;
- Represented joint venture partner in mediation and arbitration and ultimately settlement of a highly contested business divorce arbitration and dissolution of a partnership. As part of the deal, the joint venture partners swapped like-kind properties in a 1031 exchange to defer hundreds of thousands of dollars in capital gain taxes which would have been incurred by our client from the transaction;
- Recovered millions of dollars in rent and additional rent arrears on behalf of commercial landlords by defeating commercial tenant Covid-19 related defenses of frustration of purpose, impossibility of performance, and force majeure;
- Negotiated portfolio-wide favorable settlement agreements with commercial tenants in connection with disputed compliance with law Local Law-26 sprinkler upgrades performed by commercial landlord;
- In a commercial lease dispute, successfully obtain Yellowstone Injunctive relief for ground lease tenant, carving out an important exception to New York's Yellowstone injunction jurisprudence involving insurance-related defaults;
- Secured summary judgment in favor of judgment creditor bank clawing back fraudulent conveyances from insolvent judgment debtor;
- As litigation counsel to a real estate investor and developer successfully negotiated and secured global separation agreement from joint venture partner credibly accused of fraudulently diverting millions in construction loan proceeds;
- In a contested foreclosure action, successfully defended synagogue property owner against foreclosed owner's challenges to synagogue's title and secured judgment of possession and eviction of foreclosed-upon former owner;
- In a commercial lease dispute, successfully defended midtown Manhattan law firm facing eviction from developer landlord ultimately securing hefty buyout from landlord;
- Co-authored and published two articles on easement law in the nationally distributed American Bar Association's Probate and Property Magazine.

## Recent Published Decisions

- Board of Managers of Dorchester Towers Condominium v. Alison Hwang, Supreme Court, New York County, Index No. 161833/2018 (Clynes, J., October 9, 2025)
- Board of Managers of the Columbus House Condominium v. Byzantine Properties LLC, Supreme Court, New York County, Index No. 159564/2024 (Frank, J., August 18, 2025)
- Brooklyn Tami, LLC v. Estuniga, Inc and Juan C. Zuniga Jr., Sup Ct, Kings County, Index No. 523711/2023 (Shears, J., April 24, 2025)
- Prashad v Montefiore Medical Center, Supreme Court, Westchester County, Index No. 52298/2021 (Giacomo, J., September 17, 2024)
- MBT Specialties Inc. v. Fairpoint Builders Group, Supreme Court, New York County, Index No. 15875/2020 (Latin, J. July 10, 2024)
- Mlotok v. 63 Company, LLC et al., Supreme Court, New York County, Index No. 161037/2020 (Headley, J., April 8, 2024)
- 958 Avenue of Americas, LLC v. Abasic S.A., No. 21-cv-10348 (JPO) (S.D.N.Y. September 29, 2023)
- Blitz v. BLDG Management Co., Inc., No 20-cv-5462 (RA) (S.D.N.Y. September 21, 2023)
- Rossa v. RHR 160, LLC, 2023 NY Slip Op 33230 (Sup. Ct., New York County, September 14, 2023)
- 605 Fifth Prop. Owner, LLC v. Abasic, S.A., No. 22-0945 (2d Cir., Jul 10, 2023)
- NTS W. U.S. Corp. v. 605 Fifth Ave. Prop. Owner (In re NTS W. U.S. Corp.), No. 21-2240 (2d Cir., Oct. 18, 2022)
- 605 Fifth Prop. Owner v. Abasic, S.A., 21-cv-811 (DLC) (S.D.N.Y. Apr. 27, 2022)
- Lex Retail, LLC v. 71st St.-Lexington Corp., 2020 N.Y. Slip Op. 31457[U] (Sup Ct, New York County 2020)
- Foster v. Corona Park Realty Inc., 2019 N.Y. Slip Op. 33324[U] (Sup. Ct. New York County 2019)
- Adjuva LLC v. Williamsburg 39 LLC, 2018 NY Slip Op 31913(U) (Sup. Ct., Kings County, 2018)