

New York Real Estate is Business as Usual and Vigilant

Tuesday, February 11, 2020

Leni Cummins discusses the temporary injunction against the Department of State's guidance on tenant-paid broker commissions in an article on *GlobeSt.com*. The New York real estate industry successfully obtained a temporary injunction against the application of the Department of State's guidance memo which prevents landlords from charging tenants for real estate broker fees in certain circumstances. But, according to Leni, many are wondering how long the injunction will last and if the courts will deem it as justified since it is not a law but a litigation position.

"[The new guidance] is not the promulgation of the law, it's a litigation position from New York State," said Leni. "We can kind of rely on it, but anyone challenging the guidance document it may not procedurally work because it's not the promulgation of the law. Ultimately, the underlying legislation needs to be addressed."

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