



# JEFFREY TURKEL

## MEMBER - Administrative

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### Practice Areas

Rent Regulation & Administrative Law  
Litigation (Real Estate)  
Landlord Tenant Law  
Appellate Law  
Eminent Domain

### Bar Admissions

New York, 1984  
U.S. District Court Southern District of New York, 1984

### Education

#### University of Maryland School of Law

• J.D. - 1983

#### Honors & Activities:

• Recipient, Lewis D. Asper Fellowship

#### Hamilton College

• B.A. (*magna cum laude*) - 1980

**Jeffrey Turkel** joined Rosenberg & Estis in 1983 and is a member with the firm's Administrative Law Department. Mr. Turkel represents clients in all phases of litigation and appellate practice in the New York State courts and has successfully represented hundreds of owners in proceedings before the New York State Division of Housing and Community Renewal, the agency that administers rent stabilization and rent control. Mr. Turkel is frequently called upon by such groups as RSA, CHIP and REBNY to represent the real estate industry in litigation and appeals affecting the industry as a whole.

Over the past three decades, Mr. Turkel has won many important and ground-breaking appeals in the areas of real estate, rent regulation, landlord-tenant, condemnation, and constitutional law, including *60 East 12th Street Tenants' Ass'n v New York State Div. of Hous. & Community Renewal*, *Pultz v Economakis*, *Riverside Syndicate v Munroe*, *KSLM Columbus Apts., Inc. v New York State Div. of Hous. & Community Renewal*, *520 East 81st Street Assoc. v State of New York*, *Olsen v Stellar 110 West, LLC*, *925 D Realty LLC v New York State Div. of Hous. & Community Renewal*, and *Georgia Properties v. Dalsimer*.

Mr. Turkel recently won a major victory for the real estate industry in the New York State Court of Appeals in *Altman v 285 West Fourth LLC*. The landmark decision, issued on April 26, 2018, prevents the restabilization of tens of thousands of New York City apartments that had become lawfully deregulated between 1997 and 2011. As a result of Mr. Turkel's argument, the Court of Appeals unanimously reversed the order of the Appellate Division, First Department, and declared the apartment in question, and by extension, all similarly situated apartments, to be exempt from rent stabilization. The Court of Appeals also vacated a \$165,000 overcharge award that had been granted to the tenant.

Since 1997, Mr. Turkel has co-authored the Rent Regulation column in the *New York Law Journal*. He is a frequent media source on rent regulatory matters and has been published extensively in such journals as *The New York Real Estate Law Reporter*, of which he is on the Board of Advisors, and *Environmental Law in New York*.

### Notable Work

- *Karr Graphics Corp. v Spar Knitwear Corp.*, 192 AD3d 673 (2d Dept 2021)



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- Clark v New York State Div. of Hous. & Community Renewal, 193 AD3d 726 (2d Dept 2021)
- West Village Houses Renters Union v W VH Hous. Dev. Fund Corp., 175 AD3d 1210 (1st Dept 2019)
- DD 11th Ave., LLC v Sans, 63 Misc.3d 158(A) (App. T. 1st Dept 2019)
- E-Z Eating 41 Corp. v H. E. Newport, LLC, 171 AD3d 415 (1st Dept 2019)
- 936 Second Avenue L.P. v Wilson Evans 50th LLC, 171 AD3d 499 (1st Dept 2019)
- New York City Transit Auth. v 4761 Broadway Assoc., LLC, 169 AD3d 568 (1st Dept 2019)
- Altman v 285 West Fourth LLC, 31 NY3d 178 (2018)
- Royal Equities Operating LLC v Rubin, 154 AD3d 516 (1st Dept 2017)
- 60 E. 12th St. Tenants' Assn. v New York State Div of Hous. & Community Renewal, 28 NY3d 962 (2016)
- 60 East 12th Street Tenants' Ass'n v New York State Div. of Housing and Community Renewal, 134 AD3d 529 (1st Dept 2015)
- 2BSurrey, LLC v 20 East 76th Street Owner LLC, 134 AD3d 460 (1st Dept 2015)
- GC Limited Partnership v Kingsbridge Heights Care Center, Inc., 47 Misc3d 137(A) (App. Term 1st Dept 2015)
- Getty Properties Corp. v Getty Petroleum Marketing Inc. 117 AD3d 578 (1st Dept 2014)
- 47 Thames Realty, LLC v Rusconi, 116 AD3d 657 (2d Dept 2014)
- 43rd Street Deli, Inc. v Paramount Leasehold, L.P., 107 AD3d 501 (1st Dept 2013)
- 925 D Realty v New York State Div. of Housing and Community Renewal, 85 AD3d 645 (1st Dept 2011)
- 936 Second Ave. L.P. v Second Corp. Dev. Co., Inc., 82 AD3d 446 (1st Dept 2011)
- Modern Art Services, Ltd. v OCA Long Island City, LLC, 84 AD3d 1040 (2d Dept 2011)
- Roach v Benjamin, 78 AD3d 468 (1st Dept 2010)
- Samson Mgt. LLC v New York State Div. of Housing and Community Renewal, 76 AD3d 1024 (2d Dept 2010)
- Ulysses I & Co., Inc. v Feldstein, 75 AD3d 990 (3d Dept 2010)
- Chelsea 19 Associates v James, 67 AD3d 601 (1st Dept 2009)
- Pultz v Economakis, 10 NY3d 542 (2008)
- Riverside Syndicate, Inc. v Munroe, 10 NY3d 18 (2008)



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- Georgia Properties, Inc. v Dalsimer, 38 AD3d 332 (1st Dept 2007)
- HGCD Retail Services, LLC v 44-45 Broadway Realty Co., 37 AD3d 43 (1st Dept 2006)
- 520 E. 81st Street Associates v State of New York, 19 AD3d 24 (1st Dept 2005)
- KSLM-Columbus Apartments, Inc v New York State Div. of Housing and Community Renewal, 5 NY3d 303 (2005)
- Noto v Bedford Apts. Co., 21 AD3d 762 (1st Dept 2005)
- 520 E. 81st St. Assoc. v State of New York, 99 NY2d 43 (2002)
- Kaufmann's Carousel, Inc. v City of Syracuse Indus. Dev. Agency, 301 AD2d 292 (4th Dept 2002)
- Rima 106 L.P. v Alvarez, 257 AD2d 201 (1st Dept 1999)
- Manocherian v Lenox Hill Hospital, 229 AD2d 197 (1st Dept 1997)
- Manocherian v Lenox Hill Hospital, 84 NY2d 385 (1994)
- Eastern Pork Products v New York State Div. of Housing and Community Renewal, 187 AD2d 320 (1st Dept 1992)

## **Classes & Seminars**

- Judicial Seminar, Speaker, September 2019
- "The Housing Stability and Tenant Protection Act of 2019," Seminar: Decoding the Rent Act of 2019, Speaker, July 2019
- CLE: The Rent Laws of 2019, Speaker, July 2019
- RSA Rent Act of 2015 Seminar, October 1, 2015
- R&E's 2013 In-house Lecture Series: Appellate Law 101, May 21, 2013
- Protecting Your Bottom Line in a Zero Guideline World, RSA Seminar, November 15, 2016

## **Published Works**

- "*Regina Metropolitan*: What Practitioners Need to Know," New York Real Estate Law Reporter, May 2020
- "Covenants That Run With the Land Can Be Waived," New York Real Estate Law Reporter, May 2019
- "Proposed Rent Regulatory Amendments Seek to Shift Balance of Power Toward Tenants," New York Law Journal, June 2018
- "Rent Regulations Column," New York Law Journal, June 1997 - present
- "West Village Houses: Units Ruled Not Stabilized Despite Receipt of J-51 Benefits," New York Real Estate Law Reporter, January 2019
- "Altman: Six Takeaways," New York Real Estate Law Reporter,



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August, 2018

- “As it Turns Out, Yellowstone Waivers are Enforceable,” New York Real Estate Law Reporter, April, 2018
- “Panels Clash on Pre- and Post-Eviction Remedies,” Law Journal Newsletters, April 2016
- “The Airbnb Problem In Residential Housing,” New York Real Estate Law Reporter, May 2015
- “When Can a Tenant ‘Waive’ Rent Regulatory Rights?,” New York Real Estate Law Reporter, February 2011
- “Courts Step Up Enforcement of Landlord-Tenant Stipulations,” New York Real Estate Law Reporter, July 2010
- “Roberts - What’s Next?,” New York Real Estate Law Reporter, December 2009
- “Units an Owner Can Recover for Self,” New York Real Estate Law Reporter, April 2007
- “Appellate Division Awards Compound Interest in Takings Case,” New York Real Estate Law Reporter, July 2005
- “Escalation-Wars,” New York Real Estate Law Reporter, February 2004
- “Court of Claims Awards 11% Interest on Takings Claim,” New York Real Estate Law Reporter, October 2004
- “Regulatory Takings in New York: A Survey,” Environmental Law in New York, September 2003
- “Court Adopts Middle Ground in Luxury Deregulation Cases,” New York Real Estate Law Reporter, February 2000
- “Corporate Rent Stabilized Tenancies in Retreat,” New York Real Estate Law Reporter, March 1997
- “The New York Rent Regulation Reform Act of 1997” (Co-Author), Matthew Bender, 1997
- “Substantial Rehabilitation Under the Rent Stabilization Law,” New York Real Estate Law Reporter, March 1996
- “Luxury Deregulation: Survey of Recent Decisions,” New York Real Estate Law Reporter, September 1996
- “Regulatory Takings in New York,” Environmental Law in New York, June 1995
- “Regulatory Takings Expanded in New York,” New York Real Estate Law Reporter, December 1994

## **Professional Associations**

- Advisory Committee on Civil Practice, Member

