



# LUISE A. BARRACK

MEMBER - Litigation

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## Practice Areas

Commercial Lease Disputes  
Commercial Arbitration (Rent Reset and Property Valuations)  
Loft Law  
Administrative proceedings, including Office of Administrative Trial and Hearings, Environmental Control Board, and the Board of Standards and Appeals  
Appeals  
Human Rights Law / Reasonable Accommodation Requests  
Co-op/ Condo Disputes  
Class Action Defense  
Construction Disputes and Adjoining Access Issues  
Landlord /Tenant Disputes, including Yellowstone Injunctions  
Contract Disputes  
Partnership and Joint Venture Disputes  
Due Diligence in connection with Multifamily Purchases, Sales and Financing: Rent Regulation and Affordability Analysis and Risk Assessments  
Rent Stabilization Issues: Coverage, Rent Overcharge, Substantial Rehabilitation and Regulatory Compliance  
DHCR, TPU and Attorney General Proceedings and Audits  
Article 78 Proceedings and Appeals Challenging Agency Orders  
Certificates of No Harassment

## Bar Admissions

New York, 1981  
U.S. District Court Eastern District of New York, 1981  
U.S. District Court Southern District of New York, 1981

**Luise A. Barrack** is a Member with Rosenberg & Estis, P.C. and heads the firm's Litigation Department. Barrack served as Managing Member of the firm from 2010-2020. Under her leadership, the firm more than doubled in size and received the "Litigation Department of the Year: Real Estate" Award (2018) from the *New York Law Journal*. Clients come to Barrack for her killer instincts tempered by her sage counsel. She is a staunch advocate for her clients, many of whom she has represented for more than 30 years. Her no-nonsense approach has helped shape Rosenberg & Estis, P.C. into the tough and highly respected law firm it is today.

Barrack is an experienced practitioner in all of New York's courts and she has substantial expertise in all facets of real estate litigation. Her real estate practice concentrates on representing developers, lenders, commercial owners, hoteliers, not for profit corporations and educational institutions. Barrack is one of New York's leading Loft Law experts, handling legalization, valuation of loft fixtures, and the costs of code compliance.

Barrack also represents owners and developers in construction litigation, developments, demolitions and assemblages, and disputes including succession rights, non-primary residence, and owner occupancy. In addition, she is seasoned in cooperative, condominium, and shareholder disputes and versed in rent regulatory and administrative law, including obtaining certificates of no harassment (CONH).

Barrack has handled such wide ranging matters as defeating a claim that a developer was required to conduct an environmental study prior to filing an administrative proceeding for permission not to renew rent stabilized tenants' leases in order to demolish a Central Park South building; reaching a multimillion dollar deal and property exchange with Columbia University; representing New York Law School in recovering a site essential to building its new urban campus; and defeating a party claiming an option to purchase an interest in a High Line building containing a chic and extremely high profile nightclub.

## Notable Work

- Matter of 220 CPS "Save Our Homes" Assn. v. New York State Div. of Hous. & Community Renewal*, 60 A.D.3d 593, 877 N.Y.S.2d 21 (2009)



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## **Education**

### **New York Law School**

- J.D. - 1980

#### Honors & Activities:

- Member, Moot Court Association, 1978-1979; *New York Law School Law Review*, Member, 1978 - 1979; *New York Law School Law Review*, Research Editor, 1979 - 1980

### **State University of New York at Stony Brook**

- B.A. (*cum laude*) - 1977

## **Classes & Seminars**

- Urban Land Institute New York's Women's Leadership Initiative: Career Development Night, Speaker, November 2019
- Housing Stability and Tenant Protection Act of 2019 ("HSTPA") - What Owners and Tenants (And Their Counsel) Need to Know, Speaker, October 2019
- REBNY Rent Laws Seminar, Speaker, August 2019
- Rosenberg & Estis, P.C. Rent Regulation Seminar following the passage of the HSTPA of 2019, Speaker, June 2019
- "The Diversity Imperative," The Managing Partner Summit, Panelist, May 2019
- NYC Rent Regulation Seminar, Guest Speaker, March 2019
- Moderator - Real Estate Women's Forum; "Turning Challenges into Opportunities in Development and Construction," 2018
- Moderator - Bisnow's "Future of Midtown South," 2016
- NYSBA 2014 Advanced Real Estate Transactions – "Careful What You Say: Ethics in Real Estate", 2014
- New York City Bar - "Hot Topics Affecting Cooperatives & Condominiums- Cases & Marketplace Developments in the Last Six Months", 2014
- Annual Real Estate Weekly Women's Forum - Women Who Rule: CEO and Founder's Round Table, 2013
- Rosenberg & Estis, P.C. 2013 In-house Lecture Series: Attorney Client Relations 101 (Ethics), 2013
- Current Real Estate Leasing Issues (Including Ethics and Civility), New York State Bar Association, Real Property Law Section – Annual Meeting, 2012
- Commercial Summary Proceedings - Landlord Representation for the Civil Court in the County of Kings, 2012
- SL Green - Residential Rent Law Seminar, 2012
- IMN-2nd Annual Real Estate General Counsel's Forum (What is on your Checklist? Property Acquisitions & Due Diligence), 2012
- NYSBA 2012 Advanced Real Estate Transactions – "Careful What You Say: Ethics in Real Estate", 2012

## **Published Works**

- "Why common law excuses can't be tolerated from commercial rent debtors," *Real Estate Weekly*, August 2020
- "NY Broker Fee Guidance Has Unintended Consequences," *Law360*, February 2020
- "Owners, tenants lament flaws in rent regulation overhaul," *Real*



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Estate Weekly, November 2019

- “2019 Tenant Protection Act: The pendulum has swung too far,” Real Estate Weekly, September 2019
- “CONH could discourage owners from renovating,” New York Real Estate Journal, December 2018

## **Honors & Awards**

- Commercial Observer’s “Barrier-Breaker Award,” 2018
- New York Real Estate Journal: 2018 Women In Real Estate
- Bisnow Power Women, 2016 and 2018
- Crain’s 2018 Legal List/Leading Women Lawyers in NYC
- Preeminent AV Rated by Martindale Hubbell, 2012 - present
- New York Super Lawyers Top Women Attorneys in the New York Metro Area, 2012-Present
- Honored by New York Law Journal as a “Distinguished Leader,” 2017
- Honored by Real Estate Forum as a “Woman of Influence,” 2011-2014
- New York Super Lawyers, 2006 - Present
- Honored by Real Estate Weekly as an Industry Leader, 2010
- Honored by Real Estate New York as a “Woman of Influence,” 2008
- Joseph Solomon Scholar, University of Bologna School of Law, Italy

## **Professional Associations**

- Member of the Irvington Village Zoning Board, 2014-2018
- New York City Bar Association, Member, Committee on Cooperative and Condominium Law, 2013-2016
- New York City Bar Association, Member, Committee on the Judiciary, Class of 2010-2013

## **Pro Bono Activities**

- YMCA Development Committee, Leadership Council
- Co-Chair of the YMCA’s 2016 Annual Campaign

