



# ZACHARY J. ROTHKEN

## MEMBER - Administrative Law

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### Practice Areas

Rent Regulation & Administrative Law  
Due Diligence  
Landlord Tenant Law

### Bar Admissions

New York, 2014  
New Jersey, 2013  
U.S. District Court District of New Jersey

### Education

**Hofstra University School of Law**, Hempstead, New York

• J.D. - 2013

#### Honors & Activities:

• Merit Scholarship; *Hofstra Labor & Employment Law Journal*, Volume 30, Articles Editor

**Yeshiva University**, Sy Syms School of Business

• B.S. - 2009

#### Honors & Activities:

• R.S. Polachek Memorial Award, 2008; Dean's List

**Zachary J. Rothken** joined Rosenberg & Estis, P.C. in 2018 and is a Member and Head of the firm's Administrative Law Department. His practice focuses on complex rent regulatory issues concerning rent stabilization and rent control. Rothken represents property owners in administrative proceedings before DHCR and other administrative agencies, including claims alleging rent overcharge, TPU audits, petitions for administrative review and reduction of services. His practice also focuses on counseling prospective purchasers, sellers and lenders in performing due diligence on properties subject to rent regulation. Rothken's practice also includes representing property owners in a wide variety of litigation matters, including: Article 78 proceedings, Supreme Court actions and landlord-tenant summary proceedings.

Rothken earned his J.D. at Hofstra University School of Law and received a Bachelor of Science degree from Yeshiva University, Sy Syms School of Business. While in law school, Rothken served as Articles Editor for Volume 30 of the Hofstra Labor & Employment Law Journal. He co-authored an article titled, Limits on Sovereign Immunity in the Post-NASA v. Nelson Era: Greater Government Liability for Negligent Hiring, which was published in the Summer 2013 volume of the New York State Bar Association Labor and Employment Law Journal.

In February 2020, Rothken co-authored a well-received article published in the New York Law Journal titled "Commercial Rent Control Effort Defined by Confusion and Unintended Consequences."

### Notable Work

- *Armstrong, et al., v. Dumbo Lofts* (Sup. Ct. Kings Co. 2021): overcharge action brought by a number of tenants; won full summary judgment on issue of fraud and rent freeze; full summary judgment on all claims of one tenant; partial summary judgment on all claims but willfulness for remaining tenants.
- *Westchester Plaza Tenants Association v. DHCR and Westchester Plaza Holdings, LLC* (Sup. Ct. Westchester County 2021): successfully defended Article 78 proceeding brought by tenants' association in complex building-wide service reduction/modification of services proceeding.
- *Matter of Kristopher*, RA Docket No. GQ-410097-R (10/5/21): successfully defended rent overcharge complaint; utilized creative legal argument in support of deregulation despite lack of last rent stabi-



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lized lease.

## **Published Works**

- Commercial Rent Control Effort Defined by Confusion and Unintended Consequences, New York Law Journal, February 2020
- Limits on Sovereign Immunity in the Post-NASA v. Nelson Era: Greater Government Liability for Negligent Hiring, New York State Bar Association Labor & Employment Law Journal (co-authored), Summer, 2013

## **Professional Associations**

- Alternate Member of the Village of Chestnut Ridge Planning Board, 2021-present