



MOSHE B. NACHUM

COUNSEL - Litigation

📍 733 Third Avenue, New York, NY 10017 ✉️ mnachum@rosenbergestis.com ☎️ 212-551-1222



Practice Areas

Commercial Lease Disputes
Loft Law
Co-op / Condo Disputes
Landlord / Tenant Disputes, including
Yellowstone Injunctions
Contract Disputes

Bar Admissions

New York, 2016
New Jersey, 2016
U.S. District Court Eastern District of New
York, 2022
United States Court of Appeals for the
Second Circuit, 2022

Education

New York Law School

• J.D. (*cum laude*) - 2016

Honors & Activities:

• Otto L. Walter Distinguished Writing
Award; Daniel Finkelstein Writing
Award; New York Law School Law
Review Award for Best Note, 2016;
Dean's Leadership Council; *New
York Law School Law Review*, Staff
Editor

University of Maryland

• B.S. - 2010

Moshe B. Nachum joined Rosenberg & Estis, P.C. in 2020 and is Counsel with the firm's Litigation Department.

Nachum represents commercial and residential landlords and developers, as well as management companies, brokers and coop/condo boards across a wide range of real estate litigation matters. He has litigated many cases in the Civil and Supreme Courts, including complicated rent regulation disputes, landlord-tenant matters and general contract litigation. He is fully familiar with DHCR and rent stabilization issues and the unintended consequences surrounding the HSTPA of 2019. He also advises clients on the practical and legal implications involved with the Emergency Rental Assistance Program (ERAP). He has additional experience negotiating commercial leases and lease amendments and modifications. He is a committed advocate for his clients and has obtained significant judgments on their behalf after trials and inquests and resulting from writing and arguing complex dispositive motions.

Prior to joining Rosenberg & Estis, Nachum was an Associate with Mizrahi Law Offices, LLC.

Notable Work

- Successfully represented a commercial landlord in a contract dispute, by obtaining a \$957K judgment against a personal guarantor in connection with a commercial lease guaranty that permitted the owner to hold the guarantor liable as a "co-tenant" under the lease for all of the commercial tenant's rent obligations that accrued between March 7, 2020 and June 30, 2021, in spite of the imposition of Administrative Code 22-1005 (now deemed unconstitutional by a Federal Court), which otherwise extinguished the owner's ability to hold the guarantor personally liable for rent that accrued during that period.
- Successfully defended against a *Yellowstone* Injunction on behalf of a major New York real estate owner and developer, obtaining favorable decisions by the Supreme Court, including disqualification of the commercial tenant's counsel of record due to violating New York's Attorney/Witness Rule and on a summary judgment motion, an award for all the owner's attorneys' fees incurred in defending against the lawsuit.



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Published Works

- MOSHE B. NACHUM, The Landlord Blues: Inequity, Inefficiency, and Untimeliness of Summary Proceedings in New York City, 61 N.Y.L. SCH. L. REV. (2016-2017)

Professional Associations

- Young Real Estate Professionals New York (YREPNY), Member

Pro Bono Activities

- Kosher Troops