

Minnesota Court Rejects Fitness Center Chain's COVID-19 Defenses To Nonpayment Of Rent

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Barack Ferrazzano Press Release

On behalf of a Minnesota shopping center managed by the Sterling Organization, Barack Ferrazzano litigators obtained Summary Judgment in favor of the shopping center in a commercial lease eviction case. The court rejected the claim by the large fitness center chain that COVID-19 and related government-ordered shutdowns excused its rent obligations under a commercial lease.

This is one of the first summary judgment opinions in the country ruling on the application of the "frustration of purpose" and "impossibility" doctrines that many commercial lease tenants have claimed excuse their rent obligations during the pandemic. It is possibly the first summary judgment ruling by a Minnesota court on these types of tenant claims during the COVID-19 pandemic. The link below includes a copy of the Court ruling for any practitioners interested.

Barack Ferrazzano Litigation Group partners **Nicholas H. Callahan** and **Jack Snyder** served as lead counsel for the shopping center.

PROFESSIONALS

Nicholas H. Callahan

Jack Snyder

PRACTICE AREAS

Real Estate