

“Lessors Beware: Lease Termination Might Give Rise to Fraudulent Transfer or Preference Claims,” ABI Journal

Publications

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In this article, Jenner & Block Partners Angela M. Allen and Vincent E. Lazar examine the growing number of retailers that are liquidating or reducing their brick-and-mortar footprints to avoid bankruptcy. The authors explain that lessors negotiating lease terminations with tenants in financial distress should be aware of recent decisions from two different circuit courts – *Prime Income* and *Great Lakes Quick Lube* -- and offer key takeaways for lessors. These decisions, the authors caution, “highlight risks for terminating lessors that should be taken into account whenever advising a lessor that is contemplating a pre-petition lease termination.”

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