Nelson Hardiman Wins Landlord Dispute on Behalf of Skilled Nursing Facility

A landlord sent our Skilled Nursing Facility (SNF) client a demand letter threatening a lawsuit unless hundreds of thousands of dollars were recouped for an unpaid Quality Assurance Fee and for failure to make certain repairs. Our financially distressed client could not afford to pay or defend the lawsuit. After reviewing the matter, Nelson Hardiman attorneys Harry Nelson and Akiva Newborn issued a response letter citing, among other arguments, a statute that provides that Quality Assurance Fee debt runs with the land and thus permits SNF tenants to leave behind the fee upon cessation of their tenancy. Additionally, we argued that, per the law, the landlord could not enforce any repair provisions in the lease. As a result, the landlord took no further action and our client averted litigation and potential financial ruin.