

Saiber Prevails on Behalf of The Corcoran Group in NY Supreme Court

December 3, 2017

Saiber attorneys Marc Singer, Christle Garvey and Ryan E. San George prevailed on behalf of real estate brokerage company NRT LLC d/b/a The Corcoran Group (“Corcoran”) in connection with a lawsuit brought by a New York City condominium association against Corcoran alleging property damaged caused to a unit by its real estate broker. In the suit, the 525 East 80th Street condominium association claimed the broker negligently left an air conditioner unit running in a fourth floor unit, which ultimately malfunctioned and flooded an apartment below.

After completing discovery, Saiber moved for summary judgment on the grounds that under New York law, a real estate broker does not owe a property maintenance duty unless the broker negligently creates or exacerbates a dangerous condition on the property. The Honorable Debra A. James, Supreme Court of the State of New York, New York County, granted summary judgement in favor of Saiber’s client, ruling that the broker’s action cannot be said to be negligent in the circumstances. Saiber attorney Ryan E. San George argued the motion.