



COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

David Mawhinney Writes “Understanding Landlord and Tenant Rights in Bankruptcy” for Banker & Tradesman

MAY 28, 2020

Banker & Tradesman has published “Understanding Landlord and Tenant Rights in Bankruptcy” by David Mawhinney. In light of the impact of the initial wave of COVID-19, commercial lease restructuring is expected to be crucial in business survival. Below is an excerpt from the article discussing some of the options tenants may have if their business files for Chapter 11 protections.

First, the bankruptcy code overrides automatic termination provisions that are triggered with the bankruptcy filing. Second, the tenant can reject a burdensome lease and pay the landlord what might be a fraction of the liquidated damages under the contract.

Continue reading [the full article](#) in *Banker & Tradesman*.