

## Second Judgment in favour of Landlords on Commercial Rent Arrear dispute involving Covid-19 issues

---



On 16 April 2021, Chief Master Marsh in *Commerz Real Investmentgesellschaft mbH v TFS Stores Ltd* ordered in favour for the landlord during the [first judgment on commercial rent arrears dispute involving Covid-19 issues](#). Under a week later, on 22 April, we already have another judgment from Master Dagnall who has also found in favour of landlords in the case of *Bank of New York Mellon (International) Ltd* and another v *Cine-UK Ltd* and others.

This case involved claims for rent arrears owing to two different landlords which were opposed by tenants on a number of grounds, all of which were rejected by Master Dagnall. The tenants in this case were *Cine-UK Ltd*, *Mecca Bingo Ltd*, *SportsDirect Ltd*, and *Deltic*, a nightclub operator. These tenants had been unable to trade, to various degrees, during the Government imposed lockdowns.

In this case, the tenants employed every possible Covid argument to justify non-payment of rent and each one was resoundingly rejected by the Courts. This should provide some comfort to landlords in their rent collection endeavours going forward.

The full judgment can be found [here](#).

If you have questions about this case or about your own commercial rent arrears, please get in touch with [Nitej Davda](#) or [Elena Chrysostomou](#).



[Elena Chrysostomou](#)

Managing Associate