



# NICHOLAS KAMILLATOS

## MEMBER - Administrative Law

733 Third Avenue, New York, NY 10017    [nkamillatos@rosenbergestis.com](mailto:nkamillatos@rosenbergestis.com)    212-551-8495

### Practice Areas

Rent Regulation & Administrative Law  
Landlord Tenant Law  
Real Estate Development

### Bar Admissions

New York, 1983  
U.S. District Court Southern District of New York, 1983  
U.S. District Court Eastern District of New York, 1983  
U. S. Court of Military Appeals, 1990

### Education

The George Washington University Law School

• J.D. - 1982

#### Honors & Activities:

• Member, Moot Court Honor Board

State University of New York at Stony Brook

• B.A. (*magna cum laude*) - 1979

#### Honors & Activities:

• Pi Sigma Alpha; With High Honors

**Nicholas Kamillatos** joined Rosenberg & Estis in 1982 and is a Member with the firm's Administrative Law Department. For four decades, he has represented property owners and lenders in numerous litigations and development projects involving virtually every administrative and regulatory agency that has jurisdiction over real estate in New York City. Those agencies include the New York State DHCR and Office of Attorney General, the New York City HPD, ECB, and HDC, and federal matters at HUD and Freddie Mac.

During the past decade legislation, agency regulations and court decisions have complicated the task of assessing and valuing multifamily properties. At this point, small regulatory details can have extraordinary financial consequences and frustrate business expectations if they are not properly evaluated and accounted for in making investment decisions. Kamillatos provides the context that allows property owners, investors and lenders to properly assess and understand those important regulatory details so that they make informed investment decisions. In the current hyper-regulated environment of multifamily housing development and finance, there is no shortcut to understanding how government regulations and potential benefits apply to your projects — both new construction and repurposing. Only a deep understanding of those regulatory risks and potential benefits can ensure that sound acquisition, investment, and financing decisions are made so that business expectations are fulfilled.

Kamillatos has advised property owners on how to best deal with overlapping — and at times contradictory — regulations relating to the ownership, financing and development of residential properties. He developed a due diligence system which allows buyers and lending institutions to confirm the validity and enforceability of apartment building rent rolls using the State's rent registration database, which became an industry must do. Kamillatos also assists publicly financed project owners to establish the highest possible rent levels during the compliance period while restrictive covenants and/or regulatory agreements are in effect and then deregulate as quickly as possible. He won a groundbreaking appeal to the State's highest court establishing property owners' right to apply for substantial rent increases after Mitchell-Lama regulation ends, *KSLM-Columbus Apartment, Inc. v. DHCR*, (2005). Kamillatos regularly advises developers regarding local real estate tax and federal LIHTC benefits and compliance with the resulting affordability requirements. Additionally, Kamillatos has represented high profile renowned not-for-profit institutions in redeveloping their institutional real estate for non-profit purposes, including the world-renowned Carnegie Hall Corp., Barnard College and Columbia University.



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Kamillatos has lectured as a recognized rent regulation and publicly financed multi-family development expert at the Real Estate Board of New York, the Community Housing Improvement Program, Inc., and at bar association seminars convened by the Association of the Bar of the City of New York and the New York County Lawyers' Association.

## **Notable Work**

- KSLM-Columbus Apartments, Inc v. New York State Division of Housing and Community Renewal, 5 N.Y.3d 303 801 N.Y.S.2d 783 (2005)

## **Classes & Seminars**

- R&E Webinar: "NYS PHFL Create Affordable Housing Opportunities," December 2023
- R&E Webinar: "Housing New York – Law Changes In Gov. Hochul's Budget Proposals," March 2023
- NYC Residential Developer & Operator Lunch-and-Learn, Speaker, March 2020
- Lender Seminars, Speaker, January 2020
- REBNY Rent Laws Seminar, Speaker, August 2019
- Rosenberg & Estis, P.C. Rent Regulation Seminar following the passage of the HSTPA of 2019, Speaker, June 2019
- "Financing: Trends, Challenges, and More!" Bisnow's NYC Affordable Housing and Community Development Conference, Moderator, October 2018
- R&E's 2013 In-house Lecture Series: Due Diligence 101, June 5, 2013
- Real Estate Broker Licensing Course (Instructor), Real Estate Board of New York
- Real Property Law Committee (Instructor), Association of the Bar, City of New York

## **Professional Associations**

- New York City Bar Association, Member, Housing and Urban Development Committee, 1992 - 1996
- New York City Bar Association, Secretary, Committee on Military Affairs and Justice, 1989 - 1991