

Thomas A. Fink (Tom) has been given the highest AV Preeminent rating by Martindale Hubbell, the oldest premier lawyer rating service in the United States.

Tom has been given a *Best Lawyers in America* designation rating in Corporate Litigation. Tom has represented litigants in complex litigation including disputes between partnerships, corporations and limited liability companies.

Tom has been active in representing municipalities, individuals in all areas of Condemnation and Tax Assessment Law. For many years, during the urban renewal, Tom represented the City of Rochester in the defense of condemnation actions. Recently Tom represents several municipalities as a special tax attorney and represents claimants throughout New York State.

Tom has been given a *Best Lawyer in America* designation rating in Construction Law and Construction Litigation. Over the years Tom has represented owners, developers, general contractors, sub contractors architects and engineers in all aspects of Construction Law and Construction Litigation. Tom is a Board Member of the local chapter of the American Institute of Architects and has lectured on aspects of Construction Litigation, Design Build, and the Law of Architects and Engineers.

Tom has been given a *Best Lawyer in America* designation in the areas of Real Estate and Real Estate Law. Tom has been active in all aspects of Real Estate Development and Real Estate Litigation from the earliest planning of a real estate development to the litigation of complex real estate disputes as well as complicated commercial transactions with or without government support. In particular, Tom has developed with not-for-profit and for-profit developers, working in all aspects of Government Assisted Housing. He has also been active in representing developers of a Tax Credit Affordable Housing under Section 42 of the Internal Revenue Code and other types of Government Assisted Developments. Tom is a member of the American Bar Association Committee on Affordable Housing and is also a member of NYSAFAH (New York State Association for Affordable Housing).

Tom has been active in various community activities. He founded and is a Board Member of Tempro Development Company, a not-for-profit company developing emergency housing and programs for the disadvantaged with supported services. Tom was the coordinator for Project Homeless Connect which brings all service providers together to supply services for those who are homeless or nearly homeless and is presently a member of the advisory committee set up to make the program permanent. Tom is Chairman of the Board of Person Centered Housing Options, Inc. (P.C.H.O.), an organization to help fund housing and support individuals for the homeless under a "Housing First" concept. Tom is a member of the Monroe County Democratic Party, a member of its Hall of Fame, a previous secretary of the New York State Democratic Party and a member of the Electoral College in 1996. Tom is a past president of Temple B'rith Kodesh and is a former National Board Member the Union of Reform Jewish Congregations. Tom is a Trustee Emeritus at the George Eastman House for many years and is a former chair of its Government Affairs Committee.

EDUCATION

- LLB, Cornell Law School
- BA, Cornell University



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AREAS OF PRACTICE

Commercial Litigation
Commercial Real Estate
Construction Law
Litigation
Tax Assessment
Zoning & Land Use

AV RATING WITH MARTINDALE HUBBELL

ADMISSION TO PRACTICE

- New York State Bar
- The Urban League
- Compeer
- National Board of the Union of Reform Jewish Congregations (Member)
- New York State Democratic Party (Former Secretary)
- Monroe County Democratic Party (Former Counsel and Vice Chair, recipient of lifetime achievement award)
- Ibero American Action League (Board Member)
- Puerto Rican Youth Development Resource Center
- Rural Opportunities Advocate Hall of Fame (Member)
- American Institute of Architects, Rochester Chapter, Board Member

RECENT CASES:

- Obtained a decision by Hon. Catherine C. Schaewe, New York State Court of Claims, in August 2013 in which the condemnation case the Claimant received an additional \$900,000 above the amount offered by the New York State Department of Transportation.
- In the Matter of Fifty-Sixty Saginaw Realty LLC v. Assessor of Town of Henrietta, 52 A.D.3d 1276 (Appellate Division 4th Department, 2008), successfully obtained 100% of the reduction requested by the Petitioner and supported by the Petitioner's appraisal.
- In representing the Town of Brighton, successfully negotiated after trial the assessment of the Country Club of Rochester.
- Matter of Rite Aid Corporation v. Huseby, 2016 N.Y. Lexis 29 (N.Y. 2016); 130 A.D.3d 1518 (Appellate Division 4th Department, 2015)—Obtained a reversal of the trial court who had determined that the assessment be reduced by over \$2,000,000. The decision by the Appellate Division, Fourth Department which stands as a Motion to Appeal to the Court of Appeals has been denied with the proposition that leases in first generation drug stores and market sales of first generation drug stores provide market value and support of assessment for the property.
- Obtained a full exemption for St. Paul 's Episcopal Church for property used in their refugee settlement mission after Summary Judgment.
- Represented Conifer Realty in three housing discrimination complaints as follows:
 - Lisa M. Wilcox v. Conifer Management LLC, Sherburne Housing Development Company, L.P. Case No.: 10165594 Federal Charge No.: 02-14-0052-8;
 - Shana S. Riley v. Conifer Realty, LLC. Case No.:10159226 Title VIII No.: 02-13-0160-8 Title VI No.: 02-13-0026-6 Section 504 No.: 02-13-0040-4;
 - Sanchez Feliciano, Francisco v. Keeler Park Apartments, et al. Inquiry No.: 345563 HUD Case No.: 02-12-0764-8 Sec. 504 No.: 02-12-0163-4.
- Diaz v. Ibero-American Action League NYS Division of Human Rights Case No.: 10174127 (2015); Federal Charge No. 16GB501971
- In each of these cases, we have been able to successfully present sufficient evidence so that our client was found to have no probable cause at the earliest possible moment so as to avoid further legal exposure.



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