

## JANICE SHEA

*Harras, Bloom & Archer LLP*

Janice Shea is counsel to Harras, Bloom Archer LLP in Melville. Since 1991, Shea has focused her practice to the areas of transactional real estate, land use, municipal law and related litigation. Shea joined Harras Bloom Archer LLP about 2½ years ago and provides strategic solutions for commercial and private clients in matters of real estate transacting and land use regulation before administrative and judicial forums.

Shea is a seasoned professional representing her clients through transactions that have unique circumstances.

“A zoning violation or an incompatibility of the intended use of a property can turn up like a bad penny after a purchaser and seller have agreed upon the terms of their transaction,” Shea said. “Most contracts provide that a purchaser will not accept title marred by a municipal violation which can cover a range of items from a noncompliant shed, to an illegal curb cut, to a prohibited commercial operation. The contract may not be conditional upon the suitability of the intended property use and local zoning. When discovered from the title report the parties are well into the transaction leaving a problem that can be addressed in one of three ways: take the violation to a trial; remove the illegality, which may change the deal for the Purchaser, or; file an application for a variance or special use to the appropriate municipal board.”

Trials are costly in dollars but more importantly, in time, Shea noted.

“The result of challenging a violation also carries a great degree of uncertainty,” she said. “Removal of a de-



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sirous, albeit illegal structure could be a significant change in the terms of the deal. Applying for zoning relief is likewise costly in time and money and also carries uncertainty. Discovering that an intended use is not permitted under local zoning will not be disclosed in a title report.”

“As real estate attorneys with an understanding of land use issues,

Harras, Bloom & Archer investigates the permissible zoning of a site and the existence of violations and zoning irregularities – an illegal structure or use which has not yet received a summons – prior to contract execution to head off potential zoning issues,” Shea said. “A well-represented purchaser should tender an offer based on knowledge of potential zoning issues for commercial, residential and development properties. Our due diligence assesses compliance, costs and the ability to use a property for its intended use.”

Shea earned a juris doctor from Touro College Jacob D. Fuchsberg Law Center and a bachelor's degree from State University of New York at Stony Brook.

She is admitted to practice in New York and in the U.S. District Court, Eastern District of New York; U.S. District Court, Southern District of New York; and the U.S. Court of Appeals for the 2nd Circuit.

Harras Bloom & Archer LLP represents clients in real estate transactions, real estate litigation, zoning and land use and business litigation matters throughout Long Island, New York City, Queens, Brooklyn, the Bronx, and Staten Island. The firm's attorneys work with diverse clients in a wide range of real property, land use and zoning and business litigation matters, and have contributed to the success of many notable projects in Nassau County, Suffolk County, the New York Metropolitan area and the surrounding areas.

Harass Bloom & Archer LLP help position their clients for success by balancing a high degree of knowledge and experience with the willingness to handle matters aggressively in the courtroom.