

Tax Controversy and Church Insolvency Brought Another New York Law Firm to Miami

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Capell Barnett Matalon & Schoenfeld expanded to Miami as New York State pursues tax revenue from former residents and churches use real estate deals to offset dwindling congregations.

The 21-lawyer, full-service law firm Capell Barnett Matalon & Schoenfeld became among the latest New York law firms to expand to South Florida after firm leaders watched as client needs increasingly spanned the two regions.

This month, the firm announced a Miami office led by counsel David Zandi, a real estate attorney who launched the Capell Barnett's one-lawyer location at 201 South Biscayne Blvd. in December.

In a recent interview, Zandi said the firm expanded to South Florida to serve two client categories: High-income New Yorkers who have been increasingly audited after moving to Florida full-time or becoming part-time residents, and churches with dwindling congregations and valuable land to spare.

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– **DAVID ZANDI**

“New York has been losing high-income New Yorkers who are going to Florida to pay zero [state income] tax,” Zandi said. “New York State has been auditing former and part-time residents to recoup the money. A lot of these clients who straddle the divide between New York and Florida also straddle the divide of tax controversy. If we can provide that service, that’s a big value-add for clients down here.”

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For religious organizations, Zandi said the firm recognized an opportunity to help South Florida congregations keep their churches by applying strategies the firm has developed to aid New York clients with similar financial problems.

“In South Florida, churches who have been on plots of land for 80 to 100 years are realizing their land has extreme value, whereas maybe it didn’t have so much value in recent years,” Zandi said. “There’s a tight network between Northeastern and Southeastern religious organizations—the pastors and bishops know each other, so it’s easy to make a connection and make a name for ourselves down here.”

The firm helps struggling churches become financially viable by helping them sell air rights and development rights or negotiate ground leases, he added.

Zandi left Capell Barnett as an associate in 2019 to go in-house at a real-estate startup that subsequently shuttered after the onset of the pandemic. He decided he wanted to move to Florida and was studying for the Florida Bar when managing partner Renato Matos told him the firm was eyeing an expansion to Florida.

Zandi said Matos has been splitting his time between New York and Miami as the attorneys begin to market their services in Florida. Capell Barnett is set to host its first seminar for Florida religious organizations in April.

Capell Barnett Matalon & Schoenfeld LLP is a team of dedicated attorneys and staff who provide comprehensive, cost-effective legal services to individuals, businesses, not-for-profit organizations, and religious corporations. Our advice reflects the particular goals and values of the clients we represent.

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