

# Adam Breeze Secures Circuit Court Victory in Hotly-Contested Unjust Enrichment Trial

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In a bifurcated case that required nearly four years to complete, Mr. Breeze, of the firm's St. Louis office, successfully tried the issue before the Missouri Circuit Court of whether a landlord is liable to its tenant(s) for improvements made to real property as inducement to enter into an agreement to possess the property.

Here, the Defendants purchased real property and induced the Plaintiffs to take possession on the promise that if Plaintiffs rehabbed the premises that they would then take possession under a contract for deed. The contract for deed, despite promised, never materialized and the Defendants sought relief under the Missouri Landlord Tenant statutes arguing that the improvements should essentially be seen as a rental deposit. After a two day bench trial (and a prior trial on the rental agreement which severely limited the Landlord's relief under the Warranty of Habitability defense), the Court concluded that allowing the Defendants to retain the proceeds from the subsequent sale of the real property would have unjustly enriched them and awarded the Plaintiffs a monetary judgment reflecting the improvements made.