



REAL ESTATE | An Act of God, or Another Failing Restaurant? Illinois Bankruptcy Court Rules on Force Majeure Clause in the Wake of COVID-19 Shutdown Order

The ongoing COVID-19 pandemic has raised pressing questions about how a *force majeure* provision in a lease will affect a tenant's obligation to pay rent. A recent decision from a bankruptcy court in Illinois provides useful instruction as to both how courts may analyze claims of *force majeure*, and how property owners may consider tailoring such clauses in the future. *In re: Hitz Restaurant Group*, further discussed in this Legal Update, offers an early take on how at least one court may treat *force majeure* clauses when interpreting tenants' obligations to pay rent during COVID-19-related shutdowns.

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