

MARKS & WEINBERG, P.C.

Robbins v. Mt. Sinai Medical Center, Inc.

748 So. 2d 349 (Fla. Dist. Ct. App. 1999).

The court held that the tax exempt not-for-profit medical hospital (öLesseeö) was not the equitable owner of the long-term operational lease property, despite the presence of an öoption to purchaseö and other öburden and benefitö factors. Since Lessee was not the owner, it was not entitled to a charitable tax exemption for such leased property. Where the öoption to purchaseö is for more than nominal value, it will not, in and of itself, result in Lessee being the owner of the leased property.

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