

## Real Estate

Foster Garvey maintains one of the most active real estate practices in the Pacific Northwest with offices in Seattle and Spokane, Washington and Portland, Oregon. Our firm also has established offices in New York, Washington, D.C. and Tulsa. The Foster Garvey Real Estate team's collective experience covers the full spectrum of real estate law including real estate transactions and finance, construction, land use and zoning, environmental and real estate litigation. We have deep experience with all types of properties, including commercial buildings, mixed-use projects, shopping centers, hospitals and medical centers, hotels and resorts, single and multi-family residential projects, convention centers and more. Our Real Estate team's clients include large and small local and national real estate developers, lenders, real estate investment advisors, fund sponsors, REITs, property managers, real estate agents and others.

Foster Garvey attorneys are proud to be nationally recognized by the highly regarded *Chambers USA* legal directory in the Pacific Northwest, which annually interviews firm clients, as well as receiving recognition as a Seattle Tier 1 practice by the recent *U.S. News-Best Lawyers* survey.

### Commercial & Real Estate Finance

The firm's [Commercial & Real Estate Finance](#) attorneys draw upon their real estate, banking, insurance coverage, tax, corporate and bankruptcy knowledge and experience to efficiently represent lenders and borrowers in real estate financing transactions. We represent banks, non-bank commercial lenders, corporate and institutional owners of real estate, Native American Tribes and other clients with respect to the financing of projects, including:

- Office, retail and industrial properties
- Multi-family projects
- Hotels and resorts

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### Related Professionals

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### Related Services

Airports  
Cannabis

- Condominiums
- Senior and affordable housing
- Major institutions, including hospitals and universities
- Corporate real estate portfolios
- Timberland and agricultural properties

Our work has included transactions in connection with traditional single property financings and corporate financings to 63-20 financings and real estate loan portfolio purchase and sale transactions.

#### **Condemnation & Eminent Domain**

Through our Litigation, Public Finance & Municipal Government, Land Use, Planning & Zoning and Real Estate practices, we have developed the necessary knowledge and experience to manage virtually any property acquisition or condemnation proceeding. We have represented municipal entities in acquisition projects including arterial street development and expansion, utility corridor development, golf courses, transit stations and rail corridors, convention centers and private utility systems. Our Real Estate litigation attorneys have prosecuted and defended inverse condemnation cases, including actions relating to property taking through regulations or failure to issue land use permits, as well as noise and odor complaints.

#### **Condominiums & Homeowners Associations**

Foster Garvey attorneys have extensive experience in condominium and homeowner association law, representing both owners associations and developers of residential, commercial and mixed-use condominium projects. We understand the unique issues affecting condominium developers and homeowners associations and the need for customized documentation that address such projects and associations, balancing the interests of the different uses of these projects.

#### **Distressed Real Estate, Workouts & Bankruptcy**

An often uncertain economy requires that we are able to counsel our clients on the challenges of distressed real estate. Foster Garvey attorneys have extensive experience with all types of loan workouts and restructurings. Our team's experience ranges from assets including office buildings, shopping centers, apartment projects and hotels to industrial and warehouse

Commercial & Real Estate  
Finance

Construction

Creditors' Rights &  
Bankruptcy

Eminent Domain & Inverse  
Condemnation

Environment & Natural  
Resources

Family-Owned & Closely  
Held Businesses

Food & Beverage

Hospitality, Travel & Tourism

Insurance Coverage

Investment Management

Land Use, Planning &  
Zoning

Litigation

Ports

Real Estate, Land Use &  
Environmental

Transportation & Logistics

facilities and agricultural property. We offer a cross-disciplinary team of attorneys who represent buyers, sellers, borrowers, lenders, loan services and institutional investors with issues related to distressed real estate throughout the United States.

### **Leasing**

Foster Garvey is well-known by developers, landlords and tenants for our experience negotiating and drafting real estate leases for local, national and international clients. We represent some of the largest Pacific Northwest-based retail companies in their leases throughout the United States and we regularly serve as local counsel on leasing matters. Additionally, we represent clients with leases including:

- Office
- Retail and restaurants
- Industrial
- Governmental
- Residential
- Manufacturing
- Hospitals and medical office buildings
- Agricultural property
- Energy and transmission facilities
- Warehouse and distribution facilities

Our attorneys have experience preparing and negotiating ground and space leases, subleases, lease assignments and assumptions, and property management agreements. We also have vast experience with leasehold financing, synthetic leases, sale-leasebacks, leasehold title insurance issue and landlord/tenant disputes including unlawful detainers, work outs, real estate litigation, and creditors' rights and bankruptcy matters.

### **Public-Private Projects**

Our firm's experience representing both private and public entities gives Foster Garvey the depth and breadth of knowledge to represent our clients on public/private partnerships. We have represented public and private clients in successfully siting many of the largest and complex, and often controversial, projects throughout the state. From our experience as bond counsel, we know how projects are financed and what impact finance issues have on project decisions and choices. Foster Garvey attorneys have an unparalleled record of success in negotiating design and construction contracts for major public works projects. We are keenly familiar with cutting edge insurance law developments that are fundamental to these projects because of the myriad of risk allocation issues interwoven into all aspects of design-build projects.

Our team's experience includes extensive legal services with respect to completion the following projects:

- Construction of a new Washington state route 520 bridge
- Washington state Route 522 Woodinville-to-Monroe toll road
- Washington state's Tacoma Narrows bridge
- Seattle's Pacific Place Parking Garage (retail center)
- Seattle-Tacoma International Airport Third Runway
- Seattle's CenturyLink Stadium
- Seattle's Swedish Medical Center expansion
- Seattle's Harborview Medical Center expansion
- Seattle's Washington State Convention and Trade Center and related expansion
- Sound Transit regional light rail system (Greater Puget Sound area)

#### **Real Estate Litigation**

Foster Garvey attorneys are regularly called upon to represent parties in litigation regarding real estate and related matters, including the purchase and sale of real property, judicial and non-judicial foreclosures, discrimination in housing and lease disputes. We have represented parties involved in residential landlord-tenant disputes to foreclosures on major commercial properties. We have represented clients in all levels of state and federal (including bankruptcy) courts, before administrative agencies, and in all forms of alternative dispute resolution, including arbitration and mediation. Our clients include sellers and purchasers, lenders and borrowers, landlords and tenants, and plaintiffs and defendants.

#### **Transactional Real Estate**

Foster Garvey Real Estate attorneys have substantial experience handling real property transactions throughout the country for local, national and international clients. We have counseled structured, negotiated and closed some of the largest real property transactions in the state and are regularly engaged as local counsel for national and international real estate companies.

#### **Blog Posts**

Uncle Sam Is Watching: New Risks in Making Real Estate Deals With Foreigners  
*Cross Border Business Law Blog*, 2.26.20

**Short-Term Rental Update:** Vacasa reaches unicorn status with its latest funding round; Airbnb bans 'party houses'

*Northwest Real Estate Forum , 12.6.19*

**Short-Term Rental Update:** WeWork nixes Seattle WeLive location; Booking.com shakes up short-term rentals with new star rating system; 9th Circuit affirms Santa Monica's short-term rental regulations

*Northwest Real Estate Forum , 10.28.19*

**Short-Term Rental Update:** Vacasa as the first STR platform to directly connect to Google Hotels; Marriott selects BookingPal as its STR technology partner

*Northwest Real Estate Forum , 10.3.19*