



REAL ESTATE

Group Chairs

Joseph F. Kessler
Partner
(215) 575-7198
Philadelphia
jkessler@dilworthlaw.com

Related Lawyers

Darwin R. Beauvais
Simon Bord
Alex F. Braden
Jennifer L. Cordes
Meredith L. Ferleger
James W. Hennessey
William P. Hunter
Barbara T. Ilse
Joseph F. Kessler
James H. Landgraf
Rosemary J. Loverdi
Dimple C. Patel
Ajay Raju
Frank V. Tedesco
Michael J. Tierney
Lorena L. Trujillo
Brett Wiltsey

Dilworth's real estate practice includes the preparation, negotiation, and review of documentation relating to all aspects of commercial, industrial, and residential acquisition and development, leasing, and commercial lending—including real estate workouts, zoning, and land use. Our real estate lawyers develop strategies for clients' multi-site acquisitions and/or sales by coordinating brokerage, due diligence, title insurance, and environmental issues.

The Firm represents developers, investors, lending institutions, healthcare facilities, landlords, tenants, contractors and construction managers, title insurance companies and agencies, real estate brokers and agents, and businesses of various sizes and natures. Dilworth's real estate group also represents national and regional landlords, public authorities, real estate investment trusts, and non-profit corporations in the acquisition, development, leasing, or sale of significant real estate holdings.

In our development practice, we focus on acquisition strategies, zoning and land use, and economic development incentives. We address contract issues concerning liability, such as representations, warranties, and indemnities, particularly with respect to environmental matters, transaction conditions, and requirements.

In our financing practice, Dilworth's real estate lawyers represent financial institutions of all sizes. We advise clients in all aspects of securing real estate as collateral and enforcing remedies upon default. Our real estate lawyers have solid backgrounds in structuring development transactions, which gives us the opportunity to offer lenders the guidance necessary to protect their interest while maintaining the integrity of the transaction.

Our team represents building owners, property management companies, and real estate investment trusts in landlord-tenant negotiations. Proficiency in representing both landlord and tenant in a variety of transactions enables our real estate lawyers to anticipate issues and effectively negotiate the transaction documents. Routine issues of subordination, non-disturbance, assignment, subletting, and landlord liens become critical when the transaction starts to unravel and parties are forced to protect their interests.

Our representation of title insurance underwriters and their insureds in real estate litigation matters reinforces our ability to avoid issues that often times become embroiled in protracted litigation.

The Real Estate Group's practice also involves the formation and business structure of the entity which will purchase or operate the real estate project. Our lawyers have represented or formed non-profit corporations which serve as condominium associations, homeowners' associations, and promoters of economic development and tourism. We develop strategies for formation, development of operating agreements, and procurement of IRS tax exemptions. We

also routinely prepare or review 'Requests for Proposals' and responses to them in the course of representing real estate clients.

Representative Matters

- Represented National Constitution Center in construction agreements and claims related to constructing the museum located in Independence National Historical Park, Philadelphia, PA.
- Represented the Camden County Improvement Authority in connection with the development, construction, and financing of a mixed-use parking center and student housing project in Camden, NJ.
- Represented the Philadelphia Authority for Industrial Development in connection with sale and leasing of redevelopment parcels at The Navy Yard (including the sale and lease of property to a major local retailer for its corporate campus and expansion).
- Represent America's leading producer of zero-carbon nuclear energy in disposition and zoning matters.
- Represented the developer of a mixed-use condominium project involving a major local hospital, including acquisition of land through a redevelopment agreement, preparation of condominium documents, analysis of transfer tax issues, construction and permanent financing, and zoning.
- Represent developers of student housing and multi-family housing projects.
- Represented the developer of Pearl Condominiums, a mixed-use condominium project located in Chinatown, in preparing condominium documents and development-related agreements and mezzanine and permanent financing for mixed-use condominium project.
- Represent a family-owned real estate development fund in acquisition and financing of office and retail projects and joint ventures.
- Represented a Fortune 500 company in connection with the sale of one of the largest gas fired cogeneration facilities in the United States for a purchase price of approximately \$600 million.
- Represented a municipality as real estate counsel in the municipality's efforts as a redevelopment entity covering a 1000+ residential, recreational, and commercial units for redevelopment.
- Represented national title insurance underwriters in title insurance, mechanic's lien claims, and agency defalcations in Pennsylvania involving both residential and commercial real estate.

Construction

Dilworth Paxson's attorneys advise clients on all types of legal issues involving the construction

industry, including contract drafting, procurement procedures and bid disputes, contract negotiations, project closeout, dispute resolution proceedings (including mediation, arbitration and litigation) labor disputes, employment policies and disputes, and pension liability. Our lawyers represent owners, developers, contractors, lenders, and design professionals engaged in public and private, commercial, institutional, and residential projects. These representations include a broad range of construction areas, including school and municipal construction, large-scale infrastructure/public works projects, transportation projects, commercial and industrial construction, housing developments, condominium projects and individual residential construction.

On the transactional side, the group seeks to limit a client's exposure to the risks inherent in construction projects. Dilworth Paxson's construction lawyers have a variety of transactional construction experience which can be applied when negotiating contracts.

Environmental

Dilworth Paxson's Environmental practice covers a wide range of areas to meet the ever-expanding impact of environmental law. Our lawyers represent clients in:

- Advising clients on sustainability principles and environmental compliance and due diligence issues.
- Assisting clients in disclosure requirements and in obtaining permits and regulatory approvals.
- Representing clients in obtaining financing for projects with significant environmental implications.
- Providing assistance in investigating environmental issues for buyers and lenders in corporate and real estate transactions.
- Compliance with transfer laws such as New Jersey's Environmental Cleanup Responsibility Act or Industrial Site Recovery as they impact buyers and lenders.

Ensuring environmental compliance is particularly important to manage the client's bottom line to minimize exposure to aggressive enforcement of environmental laws, including at times imposition of criminal penalties. The group works closely with clients to identify compliance issues and determine the most efficient way to properly resolve those issues.

Real Estate Tax Appeals

Dilworth Paxson lawyers advise their clients on the potential opportunities associated with filing real estate tax appeals. Our lawyers work with clients to determine potential benefits, file appeals and argue cases before boards and courts for single assets or portfolio projects for all real estate product types.

Zoning

Dilworth attorneys regularly represent individuals and entities in obtaining necessary zoning, use, building and other development-related permits, variances and approvals from the relevant city or suburban agencies needed to build or modify a building or otherwise operate a business.

Client Successes

- Pearl Condominiums
- D’Anastasio Corp. v. Township of Pennsauken
- Schuylkill Valley Sports
- Philadelphia Inquirer, Daily News and Philly.com Acquisition

NEWS / EVENTS

Press Releases

- Allentown Financings Win Bond Buyer Northeast Deal of the Year

Media Coverage

- The Legal’s Top Lateral Hires of 2014

Articles

- Construction Today, Issue 2 | 2017: The Business Case for Green Building - Joseph F. Kessler
- SJ Magazine: 2017 Top Attorneys Industry Icons
- Meredith Ferleger Fills Ward 2 Vacancy on Upper Dublin Board
- Construction Today, Issue 2 | 2018: The State of Commercial Real Estate - Joseph F. Kessler
- Latest Updates in Phila. Real Estate Taxation (PP. 13 & 17)

E-Alerts

- 2014 Amendments to Philadelphia Zoning Code Impact Community Notice Rules
- How Long will I be on the Hook? Important Information for those involved in NJ Construction Projects
- Dilworth Paxson’s Jennifer Cordes Writes Tax Appeal Bulletin Titled "Is a Property Tax

Appeal the Correct Decision for You?"

- Bills! Bills! Bills! — Important Real Estate News
- Landlords Beware: Philadelphia Municipal Court Modifies Rule 109 Concerning Filing Eviction Complaints
- Dilworth Paxson's Darwin R. Beauvais and Meredith L. Ferleger to Speak at "Philadelphia Real Estate Tax Briefing 2018" CLE on August 29
- Join Dilworth Paxson Partners Joseph F. Kessler and Rosemary J. Loverdi for Saint Joseph's University's "Philadelphia's Development and Real Estate Tax Revolution Symposium" on Friday, September 28
- Deadline to Appeal 2019 Real Estate Tax Assessment in Philadelphia is October 1, 2018
- Private Contractors Be Prepared