

Katten

Katten Muchin Rosenman LLP

REAL ESTATE FINANCE AND LENDING

Our Clients

Katten's Real Estate Finance and Lending practice represents some of the nation's most sophisticated commercial real estate lenders and related parties, including US and foreign banks, financial institutions, pension and private equity funds, insurance companies, and loan servicers, in connection with both traditional and non-traditional financing for the real estate industry. We also represent financial institutions and loan servicers in workouts, foreclosures and enforcement proceedings. On the borrower side, we advise real estate owners, investors, developers, managers and credit tenants. We also represent guarantors, loan participants, co-lenders, credit enhancement parties, mezzanine lenders, sureties, rating agencies, debt and equity investors, and interest-rate swap and other derivatives parties.

Our Services

The attorneys in Katten's Real Estate Finance and Lending practice help clients to achieve a cost-efficient and timely closing for even the most complex real estate financing transactions, while preserving their legal rights and intended economic returns. We handle financing transactions that range in size from \$10 million to more than \$1 billion across a wide variety of asset types—land, office, retail, hotel, industrial, residential, multifamily, condominium, golf course, resort and agricultural. Our national team brings together attorneys from our offices in key US geographies to support clients in their projects across the country and around the world.

RECOGNIZED BY

- *Chambers UK*
 - Real Estate: Lower Mid-Market (London (Firms)) 2019, 2018
- *Chambers USA*
 - Real Estate (Nationwide) 2019, 2018
 - Real estate (Illinois; Washington, DC; North Carolina) 2018
 - Real Estate: Mainly Corporate & Finance (New York) 2019, 2018
 - Real Estate: Finance (North Carolina) 2019, 2018
- *The Legal 500 United Kingdom*
 - Real Estate – Commercial Property 2019, 2017
 - Real Estate – Commercial Property: Hotels and Leisure 2019, 2017
 - Real Estate – Property Finance 2019, 2017
- *The Legal 500 United States*
 - Real Estate 2019, 2018
- *U.S. News – Best Lawyers® “Best Law Firms”*
 - Real Estate Law (National; Charlotte; Chicago; Los Angeles; New York; Washington, DC) 2019, 2018



Katten Muchin Rosenman LLP



We represent lenders in all types of financing-related arrangements, including structured financing; loans intended for securitization, such as CMBS financing; portfolio financing; mezzanine financing; secured debt

"Katten's commercial real estate attorneys have extensive and deep knowledge of the law and the market in commercial real estate financing. They are very smart, very responsive and focused on getting deals done."

U.S. News – Best Lawyers® "Best Law Firms"
2017
(Real Estate Law)

financing; syndications, participations and other co-lending relationships; construction loans; revolving credit loans; and defeasance.

Our attorneys counsel trustees, issuers, servicers, master servicers, special servicers and investors in securitization transactions involving real estate mortgage investment conduits (REMICs), grantor and owner trusts, and special purpose corporations with securities backed by mortgages and residual interests in collateral securing outstanding collateralized mortgage obligations. We advise on all aspects of mortgage-backed transactions—from performing due diligence to drafting and negotiating purchase and sale agreements to handling loan documentation and closing such transactions. We provide counsel regarding state licensing and compliance with the ever-changing state and federal regulatory framework. Clients seek our advice when evaluating and implementing loss mitigation strategies including title claims and claims against third-party settlement service providers, purchasing and selling pools of mortgage loans, negotiating resolutions to repurchase/buyback demands and other demands for

indemnification, and addressing issues related to allegations of fraud.

Our attorneys understand that effective borrower representation includes establishing the proper partnership, LLC or other organizational ownership structure, as well as the ideal financing structure, to minimize adverse state and federal tax consequences and to maintain maximum flexibility for decision-making and future property or equity dispositions and estate planning. We negotiate favorable positions for borrowers in financing transactions including hybrid structures such as debt/equity investments, limiting recourse liability, and financial and property covenants. When a financing becomes troubled, our team melds traditional workout approaches with a sophisticated understanding of applicable securities laws and federal tax laws to properly insulate our clients from potential risks. Katten lawyers possess extensive experience with distressed real estate assets and complicated capital structures, and have the relationships and process knowledge that get deals done efficiently and effectively. Our clients benefit from the firm's broad experience in bankruptcy and insolvency issues when a real estate financing ends in bankruptcy. In addition, our real estate litigators blend a broad knowledge of real estate law and business practice with well-honed skills in litigation and alternative dispute resolution to provide practical advice and counsel in disputes arising from real estate financing transactions and in the context of bankruptcy and insolvency.

Katten's Real Estate Finance and Lending team is accustomed to handling the complexities of current financing structures and creatively orchestrating the best outcome for our clients.