



**LAW SEMINARS
INTERNATIONAL**

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An Intensive Two-Day Conference on
**Advanced Commercial Real Estate
Purchases & Sales**

*The latest tips and strategies for structuring, negotiating, and
documenting major commercial property sales in today's market*

July 25 & 26, 2024

Live via Interactive Online Broadcast

Agenda—Day 1

9:00 Introduction & Overview

Kurt Kruckeberg, Esq., *Program Co-Chair*
Hillis Clark Martin & Peterson ~ Seattle, WA
Stacy W. Marchesano, Esq., *Program Co-Chair*
Alston Courtnage & Bassetti ~ Seattle, WA

**9:15 The Market Today: A Big Picture Look at How It Is Being Shaped by Evolving Buyer
Demands and Available Properties Constraints**

Perspectives on evolving market trends as the region adapts to post-Covid economic opportunities and
settles into new hybrid work models

Steve Schwartz, *Moderator, Sr. VP*
CBRE ~ Seattle, WA

Nicole Wenzel, *Associate Vice President*
MultiCare Health System ~ Tacoma, WA

Alex A. Wilford, Esq., *VP of Land Acquisition*
The New Home Company ~ Issaquah, WA

Tejal Pastakia
Pastakia & Associates ~ Seattle, WA

Jill Cronauer, *Chief Operating Officer*
Hunters Capital Real Estate ~ Seattle, WA

10:45 Break

11:00 Buyer Due Diligence: Title and Survey Issues

Common issues that arise when coordinating among parties, surveyors, and title companies; avoiding
miscommunication and pitfalls; encroachments, easements, and other third-party interests; estoppels;
infrastructure capacity charges; other common surprises

Darnella Ward, Esq., *VP/Commercial Counsel*
Chicago Title Insurance Company ~ Seattle, WA

Kathleen Sirianni, Esq., *AVP, Commercial Counsel*
Chicago Title Insurance Company ~ Seattle, WA

12:00 Lunch Break

1:15 **Buyer Due Diligence (cont'd): Land Use Issues and How Land Use Law Affects Due Diligence**

Recent and expected future changes land-use law; how to deal with zoning issues including zoning reports and code violations, third-party zoning reports, custom zoning letters, zoning endorsements, permit opinions, and comprehensive plan amendments

Abigail Pearl DeWeese, Esq.
Joshua Friedmann, Esq.
Hillis Clark Martin & Peterson ~ Seattle, WA

2:45 Break

3:00 **Buyer Due Diligence (cont'd): Building and Environmental Assessment Issues**

Conducting Phase I and II assessments: Issues to resolve before selecting an approach to assessing the environmental condition of commercial real estate and how to resolve common problems; new developments for this highly regulated part of our industry

Michael J. Mahoney, Esq.
Schwabe Williamson & Wyatt ~ Seattle, WA
John McCorkle, Principal
Landau Associates ~ Seattle, WA

4:00 **Acquisition of Troubled Properties**

Benefits and considerations in distressed asset purchases and sales in bankruptcy, receivership, foreclosure, and more

Mallory L.B. Satre, Esq.
Snell & Wilmer ~ Seattle, WA

5:00 Adjourn Day1

Agenda—Day 2

9:00 **The Push for More Affordable Housing: Special Issues in Closing an Affordable Housing Transaction**

A look at what goes on behind the scenes when the deal includes affordable-housing components, including the challenge of working with multiple funding sources for different aspects of the transaction

Rebecca L. Gobeille, Esq.,
GC and Chief Compliance Officer
Habitat For Humanity Seattle - King & Kittitas
Seattle, WA
Sallie Lin, Esq.
Stoel Rives ~ Seattle, WA
Rebecca Wold, Esq.,
Director of Real Estate Development
Habitat For Humanity Seattle - King & Kittitas
Renton, WA

10:30 Break

10:45 **Escrow and Closing Issues**

Common escrow problems and closing disputes between buyers and sellers including issues relating to return of earnest money; best practices for holdback agreements and escrow instructions; drafting tips for agreements on closing dates and conditions

Kirsten Nelsen, Esq.
Perkins Coie ~ Seattle, WA

Amanda Johnson, LPO,
Commercial Escrow Officer
First American Title ~ Seattle, WA

12:15 Lunch Break

1:30 The Dance of Negotiation

Adapting your negotiating strategy to current market conditions and changes in the relative leverage between buyer and seller; ideas for solving tricky negotiating situations and topics

Kurt Kruckeberg, Esq., *Program Co-Chair*
Stacy W. Marchesano, Esq., *Program Co-Chair*

W. Adam Coady, Esq.
Alston Courtnage & Bassetti ~ Seattle, WA

Jessica Mitchell, Esq.
Summit Law Group ~ Seattle, WA

Charles H. Royce, Esq. LEED AP
K&L Gates ~ Seattle, WA

Serena Sayani, Esq.
Stokes Lawrence ~ Seattle, WA

2:45 Break

3:00 Ethical Issues Encountered in Commercial Real Estate Transactions

Application of RPCs in the real-estate context, including disclosure requirements for joint representations and direct adversity situations where disclosure is not enough

Daniel C. Mooney, Esq.
Lee Smart PS ~ Seattle, WA

4:00 Evaluations and Adjourn

Who Should Attend

Attorneys, brokers, property managers, owners, buyers, appraisers, Limited Practice Officers, and other real estate professionals

About the Conference

Our 27th Advanced Conference on Commercial Real Estate Purchases & Sales will give you an update on the current market, insights on how your colleagues are addressing challenges, and ideas for dealing with thorny provisions in purchase-and-sale documents.

You will hear pivotal stages of purchase-and-sale transactions and current developments affecting negotiations as well as tips and strategies for success. An expert real estate panel of business decision-makers and consultants in the mixed-use, multifamily, single-family, commercial, and healthcare real-estate industries will bring you up to date on their experience in today's market.

Other major issues leading real estate experts will discuss include the due-diligence process, title and survey matters, land-use issues, environmental review, the push for more affordable housing, and the purchase and sale of troubled assets.

You will hear about current issues in escrow and closings including e-recording and other effective ways to address cybersecurity concerns.

We will wrap up with practical tips from a panel of experienced real-estate attorneys on how to tweak your negotiating strategies in light of current market conditions and evolution of the substantive law as well as an ethics presentation.

This conference is a must for anyone who wants to understand the broad range of issues affecting today's commercial real estate purchases and sales. You will not want to miss this opportunity.

Sign up today and join your peers for in-depth and valuable conversations.

We look forward to "seeing" you there.

~ **Kurt Kruckeberg, Esq.** of Hillis Clark Martin & Peterson and
Stacy W. Marchesano, Esq. of Alston Courtnage & Bassetti, Program Co-Chairs

Registration & Other Conference Information

Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$745. For public interest NGO's, students, and people in their job for less than a year, our rate is \$497.50. All rates include admission to all program sessions and course materials.

Make checks payable to Law Seminars International. As a value-added bonus, you will receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, July 19, 2024. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Continuing Education Credit: Live credits: This program qualifies for 11.25 WA MCLE & 11.25 WA LPO (inc 1 ethics) | 13.50 WA real estate | 13.50 WA appraiser credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

Time Shift Your Content: Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

Faculty

Kurt Kruckeberg, Program Co-Chair, is a partner at Hillis Clark Martin & Peterson. His work often involves sophisticated transactions for clients in the education, affordable housing, technology, and healthcare industries. He serves as an adjunct faculty member of the University of Washington College of Built Environments where he teaches Real Estate Law as part of the Master of Science in Real Estate program.

Stacy W. Marchesano, Program Co-Chair, is a partner at Alston Courtnage & Bassetti. She counsels clients through a broad range of real estate transactions, including acquisitions and dispositions of commercial property; commercial leasing of retail, restaurant, office, and industrial space; short-term rentals; residential purchases; and easement agreements. She also advises borrowers and lenders in structuring, documenting, and closing institutional and private equity financing transactions.

Steve Schwartz, Moderator, is a Senior Vice President with CBRE Advisory and Transaction Services specializing in Occupier representation throughout the greater Puget Sound region. Prior to joining CBRE, he was a Managing Director for Tenant Advisory Services at JLL. He also was a founding principal of Pacific Real Estate Partners, a regional brokerage firm, prior to its acquisition by JLL.

W. Adam Coady is a partner at Alston Courtnage & Bassetti. He represents property owners, developers, lenders, health care providers, investors, and tenants on a wide variety of real estate transactions.

Jill Cronauer is the Chief Operating Officer and Designated Broker for Hunters Capital Real Estate. She is responsible for property acquisitions, leasing, and overall business operations and has grown Hunters' portfolio from 160,000 to nearly 600,000 square feet in Seattle.

Abigail Pearl DeWeese, Hillis Clark Martin & Peterson, provides critical insight and advice to residential, commercial, and institutional developers throughout Washington. Her work includes all aspects of land acquisition and development, from initial due diligence to full entitlement and defending appeals.

Joshua Friedmann, Hillis Clark Martin & Peterson, supports a range of public-private and mixed-use and public-private developments, conservation transactions and other projects with external-facing concerns. He helps clients comply with local permitting processes as well as Washington's State Environmental Policy Act (SEPA), Shoreline Management Act (SMA), Growth Management Act (GMA) and other statutes.

Rebecca L. Gobeille is General Counsel and Chief Compliance Officer at Habitat For Humanity Seattle - King & Kittitas. She oversees the legal landscape across all aspects of development project, including from feasibility and acquisition to financing and

ownership structuring to homebuyer sales and post-completion compliance, as well as managing ongoing compliance requirements and relationships with funders, lenders and government agencies.

Amanda Johnson, LPO, is a Commercial Escrow Officer at First American Title. Before becoming an escrow officer, she was a mortgage loan officer and administrator.

Sallie Lin is a partner at Stael Rives. She advises clients on a wide variety of matters related to real estate including financing, leasing, acquisitions, and partnerships. She also counsels clients on development and construction projects, including affordable housing projects that leverage Low Income Housing Tax Credits, tax-exempt bond financing, state and local funding, and equity investment.

Michael J. Mahoney is a shareholder at Schwabe Williamson & Wyatt focusing on complex environmental and sustainability issues. This includes advising clients on the environmental aspects of corporate and real estate transactions and environmental regulatory matters.

John McCorkle is a Principal at Landau Associates specializing in providing expert technical advice regarding contaminated land management and environmental remediation to clients ranging from private individuals and corporations to state and local governments. In addition to serving on the MTCA Stakeholder and Tribal Advisory Group, he is active in the ASTM, NEBC, and NAIOP.

Jessica Mitchell is a partner at Summit Law Group and leads the firm's Real Estate Practice. She advises her clients on a variety of real estate matters, representing private and public companies, developers, government entities and institutional investors, with an emphasis on commercial leasing, acquisition, disposition and complex real estate development.

Daniel C. Mooney is a shareholder at Lee Smart PS. His civil defense litigation practice includes Healthcare Malpractice, Healthcare Regulatory & Compliance, Lawyer Discipline, and Legal Malpractice.

Kirsten Nelsen is of counsel to Perkins Coie where she represents clients in complex purchase and sale transactions, commercial office leasing, and project finance. Her recent focus has been counseling clients on financing affordable housing projects that use low-income housing tax credits, tax-exempt bonds, and equity investment.

Tejal Pastakia is the Managing Principal of Pastakia & Associates. She founded the firm to develop urban infill mixed-use buildings in the Puget Sound region. Project types include urban mixed-use, mixed-income, historic renovation and adaptive reuse, work force housing, and collegiate services.

Charles H. Royce is a partner at K&L Gates practicing real estate and finance law. He represents property owners, investors, developers, lenders, and borrowers in the acquisition and disposition of commercial and public properties. As a LEED Accredited Professional (LEED-AP), he has a thorough understanding of green building practices and principles.

Mallory L.B. Satre, Snell & Wilmer, is a bankruptcy and trial lawyer. She also has extensive experience in receivership actions in Washington.

Serena Sayani is a shareholder at Stokes Lawrence. Her commercial real estate practice focuses on acquisitions, dispositions, development, construction and leasing. She has structured complex real estate transactions for office, hotel, retail, multifamily and industrial projects across the United States.

Kathleen Sirianni is an Assistant Vice President and Commercial Counsel at Chicago Title Insurance Company's Seattle National Commercial Services (NCS) operation. She works with attorneys, developers and lenders to facilitate complex commercial real estate closings nationwide.

Darnella Ward is Vice President and Commercial Counsel at Chicago Title Commercial Services in Seattle. Prior to coming to Seattle, she served as a Commercial Underwriter for Fidelity National Title Insurance Company in New York.

Nicole Wenzel is Associate Vice President of Integration & Strategic Program Delivery at MultiCare Health System. Her recent projects include supporting the complex layers of integration required to drive the seamless transition of Capital Medical Center from for-profit to non-profit status.

Alex A. Wilford is Vice President of Land Acquisition for The New Home Company. He previously worked as Director of Land Acquisition at PulteGroup and as South King County Manager of Government Affairs for the Master Builders Association of King and Snohomish Counties.

Rebecca Wold is Director of Real Estate Development for Habitat For Humanity Seattle - King & Kittitas. She previously served as Habitat's Director of Real Estate Partnerships and as the Managing Director of Community Development at Forterra.