



Real Estate Funds and Private Equity

As the growth in real estate funds and private equity investment in real estate increases, so does the need to engage counsel with market knowledge and experience covering all of the key fund-related specialties.

We represent fund sponsors on the structuring and formation of funds investing in markets throughout the Americas, Asia Pacific, Europe and the Middle East. We also represent a number of funds in co-investments, acquisitions, joint ventures, disposals, leasing, environmental, development and financing transactions.

Our fund representation includes all real estate investment strategies involving both business strategy and asset type. We represent core, value-added and opportunistic funds, as well as real estate sector-specific funds, mezzanine loan funds, real estate securities hedge funds and funds that focus on structured finance products. We also represent institutional investors in connection with their fund investments, including insurance companies, REITs, financial institutions, investment banking firms and other institutional investors.

CAPABILITES

Fund formation

We utilize an interdisciplinary approach to serve the wide-ranging requirements of our clients and create the optimal structure to suit their investment needs and those of their investors. Our approach will commonly involve a complex interaction of various legal disciplines including international and domestic tax (including REIT tax); corporate finance; securities regulation; joint ventures; and financial services regulatory requirements relating to the nature of the chosen vehicle, be it a REIT, open ended investment company, unit trust, common contractual fund, or investment limited partnership.

Joint ventures and other structures

Our extensive tax, regulatory, corporate, and real estate experience enables us to effectively represent a broad array of clients in connection with the formation, structuring, acquisition, and disposition of real estate joint ventures and other entity structures.

Tax

A viable and efficient tax strategy that supports your real estate transaction is vital. We understand the fundamental role that tax plays in real estate investments and we deliver a multi-disciplinary tax service that integrates our real estate, tax, corporate and financing experience. We take the time to ensure that we understand your individual investment needs and set up a tax efficient structure that is tailored to you

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- Global Investment Funds
- Private Equity
- Real Estate Investment

and optimizes your investment.

Acquisition and disposal

Our multidisciplinary group is experienced in the increasingly complex aspects of real estate transactions for all property types. In many acquisition and disposal matters, we consider complex tax, accounting, and securities issues on behalf of our clients. Our critical mass of lawyers facilitates timely completion of substantial due diligence projects for large portfolio transactions.

Dispute resolution

Disputes can arise in even the most carefully managed investments. By working with you from the start to assess strengths and weaknesses, we minimize uncertainty and create pragmatic, workable solutions. Where there is no negotiated solution, we use the most cost effective and appropriate dispute resolution mechanisms to achieve successful outcomes.

EXPERIENCE

- Advising Scottish Widows Investment Partnership on the establishment and subsequent fund raisings (including detailed investor negotiation) of the Airport Industrial Property Unit Trust investing in airport related infrastructure and properties set up as a Jersey 'expert' unit trust.
- Acting for Metro/BNP Paribas on the creation of two Italian regulated real estate funds, including the contribution of 40 cash and carry retail units into the funds and the placing of the units with institutional investors. Legal advice included advising on the fund structure, setting up the fund, carrying out the due diligence and the contribution in kind of the assets to the fund. The value of the two funds was €575 million.
- Advising Pearl Assurance plc on setting up a new fund to acquire the shares of an offshore company and then take a hive up of limited partnership interests in connection with a very significant property portfolio.
- Advising Blackstone Real Estate Advisors on the sale of its Nido student accommodation business, comprising three prominent developments in London, including the tallest student accommodation building in the world.
- Advising Abacus Property Group and Heitman International on the acquisition of a series of commercial office assets in the CBDs of Brisbane, and Sydney for the Abacus/Heitman Asset Aggregation Fund.
- Advising SEB Asset Management on numerous direct acquisitions and investments into funds for investing in real estate assets and developments in China and the Asia-Pacific region.

INSIGHTS

Publications

Launching a Real Estate Fund: Key Strategies, Structures and Terms (Part One) and Important Tax, Regulatory and Securities Law Considerations (Part Two)

29 May 2020

Key features of real estate funds and considerations for fund managers considering pursuing the strategy anew.

Trusts

- Real Estate Investment Trusts
- Tax

RELATED SECTORS

- Financial Services
- Insurance