



LEINEMANN PARTNER  
RECHTSANWÄLTE

REAL ESTATE LAW



# LEGAL ADVICE FOR THE REAL ESTATE INDUSTRY



Our well-established team of experienced lawyers renders comprehensive advice on all real estate investment law issues.

The Real Estate Industry consists of large volume business and a long term investment and as such can involve major challenges for all parties. Successful real estate transactions, construction projects and project developments therefore require economic and financial but also specialized legal knowledge. LEINEMANN PARTNER RECHTSANWÄLTE are specialized in these areas. We competently and comprehensively advise on the whole cycle of a real estate project: from acquisition, planning and construction through to placing asset, property and facility management services and divestments. Our expertise covers single real estate objects, residential and commercial portfolios, specialized objects like hotels and shopping centers.

Our legal advice is based on a reliable legal judgement, a profound knowledge of the industry, technical know-how and, last but not least, long term experience. With more than 60 lawyers and offices in Berlin, Hamburg, Dusseldorf, Frankfurt/Main and Cologne we are able to carry out large volumed portfolio transactions entrusted to us with competence and efficiency.

## PROJECT DEVELOPMENT

Successful project development requires legally optimized and tax efficient corporate structures as well as numerous carefully drafted project contracts, in particular:

- real estate / share purchase agreements
- project development contracts
- planning and constructions agreements
- letting and real estate management agreements

In parallel thorough attention should be given to relevant aspects of public law framework. Here we advise our clients comprehensively, and work with them to find economically sensible and pragmatic solutions – often in close coordination with the competent public authorities.

LEINEMANN PARTNER RECHTSANWÄLTE have the proven expertise, experience and sufficient man power to guide such projects with speed and competence. In tax matters we cooperate with experienced tax advisors.

DomAquaree  
Quarter with office building  
Hotel and apartment building, Berlin



# FINANCING

Financing is crucial for real estate transactions. LEINEMANN PARTNER RECHTSANWÄLTE offer competent legal advice to assist their clients in the successful implementation of their economic aims. Our services include project financing, acquisition financing of asset and share deals, refinancing, and financing of portfolios and single assets.

## TRANSACTIONS/ DUE DILIGENCE/CONTRACTING

Successful real estate transactions require specialist experience. The course for economic success must be set at the beginning. Only by systematically analyzing the strengths and weaknesses of an object is it possible to identify the issues relevant for decision making, and to balance the asymmetry of information between investor and vendor.

Any successful property transaction is based on a well structured due diligence. On both the buyer's and the seller's side there is a need for experienced lawyers with the ability to value and measure the relevant information. LEINEMANN PARTNER RECHTSANWÄLTE thus carry out due diligence procedures to reveal the legal risks of the transaction.

Drafting the sale and purchase agreement lies at the core of a real estate transaction. The risks must be negotiated, addressed and regulated. Correspondingly, it is necessary to draft a secure procedure to structure and frame the transaction.

We analyze each client's area of interest and develop suitable contractual concepts in coordination with them, and in close cooperation with their legal departments. Furthermore, we offer comprehensive advice on all company law matters connected to the transaction (e.g. the choice, foundation or legal structure of companies) and the drafting of joint venture and private equity agreements.

In addition to providing advice on direct investments our real estate team is specialized in all legal aspects regarding indirect investments in open ended and close ended real estate funds. In the process of developing and implementing such projects particular attention has to be paid to the requirements related to risk management made by the Federal Financial Supervisory Authority (BaFin). With our knowledge and experience we are able to offer tailored solutions to realise any investment strategy.

Research and competence center,  
Trostberg



# REAL ESTATE MANAGEMENT

The management of real estate capital is of pre-eminent importance, not only to improve and preserve its value but also to achieve the planned return targets.

For this reason, it is necessary to create intelligent and practical contractual solutions regarding the asset, property and facility management in order to achieve an optimum balance between the diverging interests. This is particularly true for dynamically managed real estate portfolios that are characterized by an ongoing process of purchase and sale of real estate objects as well as the management of specialized real estate such as shopping centers, hotels, hospitals or airports. Anticipatory solutions can be found with legal, technical and economic know-how and the potential for conflict can be reduced.

LEINEMANN PARTNER RECHTSANWÄLTE advise their clients on the drafting and placing of asset management, property management and facility management agreements. For clients who are subject to financial market supervision our services also extend to advice on the compliance with supervisory statutes and regulations by the Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht - BaFin). By realizing outsourcing projects our clients, in particular institutional investors, can be enabled to concentrate on their core business.

We provide legal support to principals during the implementation phase of legal procedures by service providers – e.g. by conducting courses and workshops for facility and property managers. During day-to-day management we implement legal controls in the area of commercial facility management and guide commercial object managers and lawyers instructed with litigation in claim management procedures.

Real estate objects require long term users. We therefore also advise our clients on tenancy and lease agreements as well as on operational agreements. Since mandatory legal regulations are to be adhered to, early legal advice and a legally sound contract structure is indispensable. Furthermore, we also offer legal support on all issues in connection with commercial lease agreements such as the costs of operation.

In the case of conflict we advise and represent our clients on all matters of litigation, be it in judicial or in arbitration proceedings or in out-of-court proceedings. Even though legal advice and the negotiation of contracts always aim towards the avoidance of conflicts sometimes litigation cannot be circumvented. Where this happens our clients can expect both a clear assessment of the legal situation and its risks, and precise recommendations for action.



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