

Real Estate Financing

Financing is the lifeblood of commercial real estate. Greenbaum represents both borrowers and lenders in routine and complex financing transactions. On the borrower side, our clients include real estate developers, investors, ground lessors, ground lessees, and property owners, including entrepreneurs, public and private REITs, and operators. Our work on behalf of lenders includes representation of local, national and global banks, insurance companies, and other commercial lenders. For all clients, we provide sophisticated legal counsel, custom-tailoring financing solutions that align with their strategic objectives, mitigate risk, and facilitate the successful acquisition, development, or refinancing of commercial properties throughout New Jersey.

We guide borrowers through all stages of the real estate financing process, advising on optimal financing structures and proactively negotiating loan terms, applications, commitment letters, interest rates, repayment schedules, covenants, and guarantees. Our expertise ranges from sophisticated syndicated and multi-tier financing transactions to more routine commercial loans secured by commercial or industrial real estate. We regularly provide counsel on transactions involving real estate acquisition and development financing, construction loans, permanent financing, bridge loans, working capital financing, and mezzanine loans, including securitized lending (CMBS). We review and negotiate all loan documents, including mortgage notes, mortgages, security agreements, assignments of leases and rents, and guarantees, ensuring clear terms and protection of borrower interests.

Our services for lenders include structuring, drafting and negotiating documentation for loan origination for various types of commercial real estate financing across all asset classes, including retail, office, industrial, multi-family and mixed-use properties. We handle all aspects of due diligence review on borrower collateral, including title, survey, environmental, zoning, and lease reviews, to identify and mitigate risks.

We advise borrowers and lenders on loan modifications and restructuring in distressed loan situations, drafting and negotiating extensions, forbearances, discounted payoffs, and other workout strategies to protect borrower and lender interests. When necessary, we pursue remedies for loan defaults, including mortgage foreclosures and UCC collateral enforcement. We also provide representation in guaranty enforcement actions and in intercreditor disputes.

Due to our depth of experience in New Jersey, we are also frequently retained as local counsel by out-of-state national and international clients engaged in New Jersey transactions on both the borrower and lender sides.

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