

Housing, Economic Development and Real Estate

Best Best & Krieger LLP's (BBK) Housing, Economic Development and Real Estate team helps cities, counties, economic development agencies, housing authorities, redevelopment successor agencies and housing successor agencies, as well as private commercial and residential developers, throughout the lifecycle of their development projects.

Unrivalled Experience

We represent hundreds of public agencies and serve as general or special counsel to cities, counties, transportation districts, redevelopment successor agencies, housing authorities, housing successor agencies and economic development-related agencies. We actively guide clients through the Surplus Land Act process to move them forward with their property disposition efforts for housing and economic development purposes. Our attorneys are adept at helping public and private clients navigate, qualify for and use the Surplus Land Act, community enhancement programs and emerging economic development tools to fund projects and accomplish their development goals.

Working collaboratively with our Public-Private Partnerships, Eminent Domain, Real Estate, Environmental Law & Natural Resources, Tax, Labor & Employment and Public Agency Litigation attorneys, we advise on:

- Financing and development of affordable and market rate housing
- Disposition of real estate assets, including those subject to the Surplus Land Act

- Compliance with economic opportunity and sales tax sharing agreements
- Siting and predevelopment planning
- Land use, zoning, permitting and entitlements
- Creative financing strategies, including tax credit financing, Homekey Program, No Place Like Home, CDBG, CDBG-DR and other state and federal financing programs
- Acquisition, construction, leasing and development of real estate

Guiding public and private clients through the Surplus Land Act, community enhancement programs and emerging economic development tools to fund projects.

- Competitive bidding and prevailing wage requirements compliance
- Tax incentives, credits, assessments and liabilities
- Environmental due diligence, compliance with and remediation of compliance issues under the California Environmental Quality Act and National Environmental Policy Act
- Litigation/alternative dispute resolution
- Commercial, residential and mixed-use projects
- Public-private partnership, management and other agreements necessary for development



Affordable Housing

BBK attorneys represent numerous housing authorities and housing successor agencies. Our housing experience includes the development of ownership and rental affordable and market rate housing projects, compliance with Redevelopment Dissolution Law and Housing Authority Law requirements, SB 341 and housing successor agency obligations, density bonus issues, inclusionary housing, compliance with federal housing requirements and funding programs. Our attorneys negotiate and draft affordable housing agreements, loan agreements and associated regulatory and resale restriction agreements, and rental and for-sale affordable housing project-related contracts.

Additionally, we advise on:

- Compliance with Housing Authority Law requirements
- Density bonus issues
- Inclusionary housing requirements and programs
- Fair housing issues, including California's Affirmative Fair Housing Law obligations
- SB 330
- Housing Crisis Act compliance
- No Net Loss requirements
- Accessory dwelling units
- Housing elements
- Funding programs

Our Government Affairs team actively engages in legislative and regulatory processes, advocating for clients regarding laws affecting federal housing laws and funding.

Financing

Working closely with members of our Public Finance team, we assist in structuring the financial aspects of economic and housing deals, including bond and tax-credit financing. Additionally, we help clients create financing districts, including infrastructure and community services facility districts, special tax vehicles, and assessment districts.

Economic Development

Since redevelopment agencies dissolved in 2012, public agencies have sought alternative ways to facilitate and fund economic development, affordable housing development and other community improvements. BBK attorneys are uniquely qualified to help our clients achieve their vision for the economic development of their communities. We work with cities, counties and other public agencies to develop projects that result in greater and more diverse employment opportunities, repurpose space and property to improve the tax base and redevelop sites to provide community serving businesses and amenities. We work with clients on a variety of agreements to achieve desired economic goals through the siting of desired businesses, funding and construction of commercial development, and community improvement projects.

We have advised on and drafted numerous public-private partnership agreements, tax sharing agreements, and financing agreements to facilitate development consistent with our clients' economic development vision.

Real Estate

Experienced in all aspects of real estate asset acquisition and dispositions, we have structured all types of deals across asset classes, including purchase and sale agreements, lease-leaseback arrangements, commercial and residential leases, ground leases and other conveyances. We also structure and assist with project finance and entitlements. Our team is experienced in all types of real estate transactions across the residential, commercial, industrial, sports venues and entertainment, retail/mall redevelopment, and hospitality industries. With assistance from our Land Use, Planning & Zoning, Environmental Law & Natural Resources and our Public Finance groups, we are able to assist clients with all aspects of their real estate transactions.



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