

Senior & Affordable Housing

Foster Garvey's cross-practice Senior & Affordable Housing team is well-suited to provide legal services to clients across virtually any area in this fast-evolving industry. We work diligently with public and private owners, developers and operators to assist them in achieving their business and project objectives. Attorneys on our team have the experience and knowledge to capably guide both for-profit and nonprofit clients, including a significant number of housing authorities and other governmental entities, through the wide range of legal issues faced by those in or entering into this ever-changing industry. Clients turn to Foster Garvey's Senior & Affordable Housing attorneys for a wide variety of matters, including:

- Acquisitions and dispositions
- Bond financing
- Condominiums
- Construction
- Corporate formation
- Development agreements
- Eminent domain
- Employment and labor
- Entity structuring and restructuring
- Financing
- Insurance coverage
- Investment management
- Leasing
- Low-income housing tax credits
- Mixed-use projects
- Operational agreements
- Portfolio management
- Public finance

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Related Services

Charitable & Tax-Exempt
Organizations
Construction
Insurance Coverage
Public Finance & Municipal
Government
Real Estate, Land Use &
Environmental
Tax

- Real estate and land use
- Regulatory analysis
- Taxation

Financing & Government Funding

Our knowledgeable team is aware that development of affordable housing often requires assembling and coordinating an array of financing sources, and has assisted developers in leveraging resources including tax-exempt bonds, low-income housing tax credits (“LIHTCs”), conventional bank loans, loans and grants from public funders, HUD funding, loans of HOME funds, Community Development Block Grant funding, Washington State Housing Trust Fund loans, and RAD project-based voucher funds, among other sources.

Foster Garvey has substantial experience with the LIHTC program, primarily representing developers/sponsors and bond issuers. In addition to our experience structuring and closing LIHTC transactions, we assist clients with tax credit compliance and assist with partnership restructurings and re-syndications, particularly in the context of “Year 15” dispositions of tax credit properties.

In addition, we regularly serve as bond counsel for housing authorities and other governmental entities issuing bonds used to finance loans to other entities, including tax credit partnerships. These financings have included privately placed and publicly issued, fixed rate and variable rate, rated and un-rated, credit enhanced and non-credit-enhanced, and taxable and tax-exempt bond issues.

Real Estate Development

Foster Garvey offers one of the most comprehensive real estate practices in the Pacific Northwest. The depth and breadth of our experience allow us to provide full-service assistance on housing projects of all complexity levels, from single-asset transactions to multi-state portfolio acquisitions. We have worked with numerous affordable housing developers and housing authorities in the Pacific Northwest throughout the entire life cycle of a real estate project, from due diligence and acquisition through project financing, tax planning, development, construction, insurance, property management and leasing agreements to ultimate property disposition. Foster Garvey attorneys regularly draft and negotiate real estate documents, including purchase and sale agreements, easements, joint use agreements, management and leasing agreements, lot line adjustments, condominium formation documents, and subordination agreements. Learn more about our [Real Estate practice](#).

Land Use & Environmental

Our regular involvement in virtually every area of land use and environmental law allows us to provide efficient and high-quality services to our housing authority clients. Foster Garvey’s Land Use practice includes the Growth Management Act (“GMA”) and its subsequent amendments; local comprehensive planning; master planning and zoning; subdivision regulation; shorelines, wetlands and other sensitive areas; the environmental impact statement

processes and related requirements of NEPA and SEPA; air and water quality regulation; hazardous waste, clean air and solid waste law; historic preservation; and condemnation.

Construction

We represent housing developers in all phases of a construction project, from the drafting and negotiation of contracts to mitigating issues that may arise during construction. Foster Garvey Construction attorneys are well-versed in litigation and dispute resolution should the need arise, including labor and material liens, insurance coverage, constructability issues and construction defects. The firm's Construction team is also knowledgeable in insurance law and can consult with our Insurance Coverage attorneys to obtain maximum recovery or protection for our clients.