ART DE LEX

REAL ESTATE AND CONSTRUCTION

17 years

Of complex support for real estate and construction

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Property relations will always be the foundation of any economy. Land plots and other real estate properties, along with the rules governing their creation and turnover, ultimately form the basis of any business. This underlies the importance of choosing the right legal strategies for the ownership, disposition, and management of real estate.

The ART DE LEX real estate and construction practice is known in the market as a strong team capable of providing comprehensive solutions to issues involving real estate rights and related transactions. The Pravo.Ru-300 national ranking of law firms recognizes our real estate and construction practice as an industry leader. The business newspaper Kommersant ranks our firm's real estate and construction practice as the industry's best in class.

ART DE LEX successfully solves issues and implements projects in such complex and unconventional fields as the redevelopment of industrial zones, work with cultural heritage sites, legal support for the activities of developers, and other initiatives. The firm's specialists also deliver professional competencies in the areas more traditionally associated with real estate and construction practices, such as the structuring of real estate transactions, the performance of comprehensive legal expertise ("due diligence"), and the handling of litigation involving real estate properties.

The practice area's attorneys participate in the work of public institutions where market players discuss pressing issues of construction, redevelopment, renovation and the regulation of developers' business activities, as well as the particularities associated with changing the status of land plots. ART DE LEX's close contact with state institutions in the field of real estate and construction allows the firm to deftly handle our clients' most challenging and unconventional assignments.

Professional achievements of the practice area

ART DE LEX is recognized as a leader in the field of real estate and construction law, according to the Pravo.Ru-300 ranking of law firms.

Pravo.Ru-300

The leader of the practice area, Evgeny Arbuzov, is listed in the Best Lawyers individual rankings.

Best Lawyers

ART DE LEX is listed in the rankings by the business newspaper Kommersant as a leading Russian law firm in the field of real estate and construction.

Kommersant

Advising one of the leading global construction companies on participation in the implementation of a large-scale project valued at more than RUB 60 bln, and the legislative regulation of relations between the customer and its contractors, with regard to the application of the norms of foreign law and FIDIC forms to contractual relations.

Successful case

Advising the Far East Development Corporation JSC, responsible for the management of priority socioeconomic development areas and the free port of Vladivostok, concerning the conclusion and performance of agreements on the creation of energy and transportation infrastructure in the Russian Far East; provision of legal support in litigation arising from related construction projects.

Successful case

Due diligence and legal support in the performance of turnkey contracts for the construction of one of the largest international airports, built during preparations for Russia's hosting of the 2018 FIFA World Cup.

Successful case

Services

Turnover in real estate properties

- Legal formalization of key business processes
- Systems for the analysis and monitoring of possible risks
- Contractual support for real estate management processes
- Structuring of relations arising from the lease of real estate properties
- Prevention and minimization of party risks

Comprehensive support for development and redevelopment procedures

- Support for all stages of construction projects
- Interaction with state authorities
- Agreements on the performance of engineering and design work, construction contracts, EPC, and FIDIC
- Disputes with state agencies and construction project participants

Consulting to the Far East Development Corporation JSC, which is responsible for the management of priority socioeconomic development areas and the free port of Vladivostok, concerning the conclusion of agreements on the creation of various infrastructure facilities; provision of legal support in litigation arising from related construction projects.

Advising one of the country's largest investment companies, Region Group, during the implementation of a number of projects involving the redevelopment of industrial zones inside Moscow's third ring road.

Due diligence on the status of land plots and the real estate properties located thereon for the purposes of redevelopment; advising the client on issues related to choosing the optimal organizational and legal forms of redevelopment.

Legal support for the participation by one of the Moscow Region's leaders in infrastructure construction in massive construction tenders, as well as in the course of the performance of state contracts for the construction of road junctions and outbound routes for a total amount of roughly RUB 100 bln.

Consulting to FIC Invest in the reconciliation of disagreements and resolution of disputes with unscrupulous contractors taking part in the construction of Eastern Siberia's largest light industry enterprise.

Advising one of the largest companies in the area of infrastructure construction, involved in the construction of facilities at a terminal for the intake, storage, and regasification of liquefied natural gas, about the out-of-court settlement of an issue pertaining to the scope of the completed work.

Consulting to Stroytransneftegaz CJSC during the performance of a contract with Gazprom Dobycha Noyabrsk LLC for the construction of the first infrastructure facilities for the development of the Chayanda field, which is the resource base for the Power of Siberia pipeline system.

Advising one of the largest construction companies in Central Europe, PSJ, A.C., on the performance of a turnkey contract for the construction of the Strigino International Airport in Nizhny Novgorod.

Disputes arising in the turnover of real estate, construction, and development

- In- and out-of-court methods for resolving conflicts, while preserving existing business relations and prospects for ongoing cooperation between the parties
- Litigation defense in disputes involving the ownership, management, and operation of real estate properties
- Protection of rights to real estate
- Disputes with state agencies

Consulting to the Far East Development Corporation JSC, which is responsible for the management of priority socioeconomic development areas and the free port of Vladivostok, concerning the conclusion of agreements on the creation of various infrastructure facilities; provision of legal support in litigation arising from related construction projects.

Advising a major foreign investment company on the issue of bringing a lawsuit against certain contractors who committed violations in the construction of one of the largest shopping-and-entertainment complexes.

Consulting to Hines International Inc. about the possibility of suing certain contractors who committed violations in the construction of the Metropolis office complex, spanning a total area of roughly 100,000m2.

Protecting the property interests of Investorgbank PJSC in the case of the bankruptcy of a borrower whose obligations under the loan were secured by a mortgage on the shopping center built by the borrower.

Analysis of the chosen legal position in a case involving multiple lawsuits seeking the recovery of monetary damages from our client for its ostensible breach of the terms of certain sale-purchase agreements for residential premises; preparation of procedural documents; representation of the client's interests at the courts of first and second instance; participation in hammering out the terms of amicable settlements between the parties to the respective disputes.

Legal support for real estate transactions

- Comprehensive due diligence on assets, companies, and holdings
- Minimization of the risks borne by the parties to real estate transactions

Application of a preferential lease rate to a previously restored and retrofitted cultural heritage site, under the “one ruble per square meter” program.

Advising an international investment fund on issues related to structuring the purchase of a large land plot.

Structuring a transaction involving the acquisition of an investment real estate property in Berlin for the development company T-Development GmbH.

Legal support for the structuring a transaction between Legion Development LLC and Sberbank of Russia PJSC, in terms of financing the construction of a residential complex in Moscow spanning a total area of some 350,000 m2.

Legal support for the structuring of a transaction involving the purchase by Magistral Plaza LLC of a land plot lying adjacent to previously acquired land plots, for the purposes of their further consolidation.

Consulting to KVS-Group LLC during the performance of legal, financial, and technical due diligence on a property complex on Rublevskoye Shosse, in order to assess the risks associated with its acquisition for the purposes of subsequent redevelopment.

Structuring a series of interrelated transactions featuring the participation of more than ten entities, aimed at the divestment of non-residential premises in a historic mansion in downtown Moscow, classified as a cultural heritage site.

Development of arrangements for the financing of procedures associated with the construction, development, and turnover of real estate properties

- Legal support for the procedures involved in the restoration and retrofitting of cultural heritage sites
- Structuring of the relations entailed in the ownership and use of real estate
- Assessment and implementation of measures to manage the risks associated with rights to real estate
- Development and implementation of an arrangement of contractual relations in the construction of energy and transportation infrastructure, industrial facilities, and civil-construction projects, including on those based on EPC and EPCM contracts

Structuring a transaction involving the bank financing of a project envisioning the construction of a residential quarter spanning more than 350,000 m2.

Consulting to KVS-Group LLC during the performance of legal, financial, and technical due diligence on a property complex on Rublevskoye Shosse, in order to assess the risks associated with its acquisition for the purposes of subsequent redevelopment.

Advising a bank in scope of the development and implementation of measures aimed at defending the bank's rights as the mortgage holder on the Serpukhovsky Elevator-Building Plant, encompassing land plots, production buildings, and structures, as well as other infrastructure facilities, within the scope of security for a loan of roughly RUB 3 bln.

Team

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