



Daniel Berman, Kramer Levin Naftalis & Frankel LLP

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What was your most notable project, deal, or transaction in 2020?

What is most notable to me about 2020 is how lopsided the effects have been on different market segments. In some ways, the pandemic has spurred a 'flight to safety' which has enhanced the desirability of certain asset classes and locations while at the same time many other projects appear unsalvageable. I am seeing pre-COVID prices paid for assets occupied by "COVID-proof" tenants such as distributors, and have been working on development deals in the outer boroughs, particularly in Queens and the Bronx.

Outside of New York, we are seeing continued deal flow in cities like Miami and Denver. The contrast is that right after I hang up the phone on one of those deals, I have a call with another client who has an empty hotel and is struggling to find solutions. Or a broken condo project with completion and carry guaranties. It really is a tale of two cities.

What was the most challenging part of working during the pandemic?

It has been extremely challenging to work through the thorny issues raised by broken deals. I am spending a tremendous amount of time and effort helping many of my clients make the best of a very difficult situation. Since I feel a sense of responsibility to my clients as friends, it's important for me to help them achieve success on a personal basis, beyond their legal challenges. And the stakes are incredibly high, particularly if there are personal guaranties involved. When all parties are cooperating and thinking creatively, however, we have been able to find solutions that are enabling developers, investors and other stakeholders to get through this crisis and pivot to a brighter future.

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