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Hot Topics in Commercial Real Estate

Chaired by

Sarah Batut

Fasken Martineau DuMoulin LLP

February 7th, 2023 • UBC Robson Square (800 Robson Street) • Vancouver, BC

Live Webinar also available!



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CHAIR



Sarah Batut, Partner, Fasken Martineau DuMoulin LLP, Vancouver, BC. Sarah has comprehensive experience in real estate transactions including acquisitions and sales, subdivisions (including airspace subdivisions), development of mixed-use, commercial and residential projects and commercial leasing. Sarah also has experience in various corporate and commercial practices. She is a member of the CBA's Real Property Section, the International Council of Shopping Centers and the Commercial Real Estate Women's Network. Sarah is a regular presenter for PBLI.

FACULTY



Ravi Bindra, Partner, Koffman Kalef LLP, Vancouver, BC. Ravi represents and advises clients as a member of the Corporate/Commercial and Commercial Real Estate & Development teams. He works with a wide variety of clients from both the private and public sectors, including school boards, developers, financial institutions, private lenders, entrepreneurs, professional service firms and government entities. Ravi advises clients on a broad range of legal matters including property development, acquisitions, dispositions, leasing, financings, subdivisions and marketing under the *Real Estate Development Marketing Act*. In addition to his real estate practice, he also advises clients on various corporate and commercial matters including business purchase and sale transactions (asset and share), corporate and limited partnership formations, reorganizations and restructuring of private companies and partnerships. Ravi also has extensive experience negotiating joint venture agreements and shareholders agreements on behalf of his clients.



Jessica Campbell, Partner, Fasken Martineau DuMoulin LLP, Vancouver, BC. Jessica Campbell is a Partner in Fasken's Litigation and Dispute Resolution group in Vancouver. Her practice focuses on product liability and insurance advice and litigation, and extends to a range of related practice areas including tort defence, insurance coverage, construction litigation and class proceedings. Jessica has litigated and negotiated disputes before all levels of British Columbia courts. She has extensive trial and appeal court experience. Beyond the civil litigation context, her practice also extends to mediation, negotiated dispute resolution, arbitration and class actions.



Jordanna Cytrynbaum, Partner, Cassels Brock & Blackwell LLP, Vancouver, BC. Jordanna Cytrynbaum (she/her/hers) is a partner in the Litigation Group at Cassels. Jordanna's commercial litigation practice focuses on complex multi-party litigation. She brings strategic thinking and practical problem-solving to all her clients. Jordanna regularly represents clients before all levels of court, administrative tribunals and in arbitrations. Jordanna's experience includes representing and advising private sector real estate clients such as developers, owners of land, shopping malls and strata corporations in development matters, contract disputes, leasing matters, property transfer tax disputes, strata property disputes, foreclosures and municipal law issues. Jordanna regularly contributes to various law publications and is a frequent presenter on a variety of corporate, commercial, real estate, and employment law topics.



Lisa Hiebert, Partner, Borden Ladner Gervais LLP, Vancouver, BC. Lisa handles all aspects of commercial insolvencies, formal and informal restructurings (including proceedings under the *Companies Creditors Arrangement Act* and the *Bankruptcy and Insolvency Act*), and enforcement and financial services litigation for a wide range of clients. Lisa has been involved in a number of significant insolvency files advising and representing insolvency professionals, challenged companies, lenders, suppliers, directors and officers, and other stakeholders. Her sector experience is diverse and includes cannabis, retail, oil and gas, technology and manufacturing. Lisa has appeared before all levels of court in British Columbia and Alberta and the British Columbia Securities Commission.



Joshua Lintern, Senior Vice President, National Industry Leader - Real Estate & Development, Marsh Canada Limited, Vancouver, BC.



Laura Smith, Partner, Fasken Martineau DuMoulin LLP, Vancouver, BC. Laura Smith is a member of Fasken's Real Estate Law and Banking & Finance practice groups in Vancouver, focusing on acquisitions and dispositions, commercial leasing, real estate development and lending. Laura has a range of experience in real property matters and has acted for clients in a range of commercial real estate transactions. Laura also acts for lenders and borrowers in secured financing transactions, including syndicated loan transactions.



Shauna Towriss, Partner, Cassels Brock & Blackwell LLP, Vancouver, BC. Shauna Towriss is a partner in her Cassels' Real Estate & Development Group. In her practice, Shauna helps clients grow and achieve their business goals by securing the space where they conduct business and doing the legal work related to obtaining the funding that allows them to do so. She offers extensive experience in assisting clients in nearly all facets of commercial real estate including acquisitions, dispositions and financing or re-financing of office, retail, apartment and hotel properties on behalf of a range of owners, from individuals and syndications to institutional investors.

Hot Topics in Commercial Real Estate

The commercial real estate sector is complex and dynamic. Advisors, developers and other industry participants must keep informed of emerging issues and creative opportunities to weather the current environment.

This one-day program brings together an esteemed group of experts to guide you through the legal and regulatory tangle and offer new strategies to stay competitive. Participants will gain a better understanding of the current climate and learn practical and proactive strategies to successfully navigate their commercial real estate projects.

Key Areas Addressed:

- An update on recent case law and legislative changes
- What happens when deals go wrong and preparing for litigation
- Insolvency matters
- Drafting strong contracts
- Impacts of anti-money laundering rules on the real estate sector
- Insurance considerations

Who Should Attend?

- Real Estate Lawyers and their Paralegals
- Commercial Real Estate Developers and their Advisors
- Strata owners and operators
- Municipal officials
- Financial advisors

HOT TOPICS IN COMMERCIAL REAL ESTATE

FEBRUARY 7TH, 2023

9:00 Welcome and Introduction by PBLI

9:05 Chair's Welcome and Introduction

Sarah Batut

Fasken Martineau DuMoulin LLP

9:10 Legal Update

Laura Smith

Fasken Martineau DuMoulin LLP

- Case law and legislative update

10:00 Questions and Discussion

10:10 Refreshment Adjournment

10:25 The Collapsing Deal

Jordanna Cytrynbaum & Shauna Towriss

Cassels Brock & Blackwell LLP

- What to do when a deal goes wrong
- Common closing issues solicitors face
- Setting yourself up for litigation

11:15 Questions and Discussion

11:25 Insolvency

Lisa Hiebert

Borden Ladner Gervais LLP

- How insolvency is affecting commercial real estate parties: service providers, suppliers, contracting parties
- What to do/what are your rights if third party is insolvent

12:15 Questions and Discussion

12:25 Catered Lunch

1:15 Contract Drafting Tips & Tricks

Ravi Bindra

Koffman Kalef LLP

- Timing issues, closing conditions, build-to-suit considerations, indemnities, assignment provisions

2:05 Questions and Discussion

2:15 Refreshment Adjournment

2:30 Anti-Money Laundering Compliance

Sarah Batut

Fasken Martineau DuMoulin LLP

- Findings of the Commission of Inquiry into Money Laundering in BC (the Cullen Commission)
- Expected future developments for real estate industry
- Tips and tricks for proactively implementing best practices

3:15 Questions and Discussion

3:25 Insurance & Commercial Real Estate

Jessica Campbell

Fasken Martineau DuMoulin LLP

Joshua Lintern

Marsh Canada Limited

- Common types of property insurance
- Business interruption coverage
- Dealing with a loss and making a claim

4:10 Questions and Discussion

4:20 Chair's Closing Remarks – Program Concludes

INFORMATION

Two Ways to Register:

1. Telephone us: 604-730-2500
2. Register at www.pbli.com/comre23

Registration: The registration fee is \$845.00 plus GST of \$42.25 totalling **\$887.25**. Registration fee covers your attendance at the program, electronic materials, a catered lunch and refreshments throughout the day.

Early Bird Discount: Register by January 9th, 2023 and receive a \$100 discount on the registration fee (\$745.00 plus GST). Discounts cannot be combined.

Group Discounts: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration. Discounts cannot be combined.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m. (PST)**. UBC Robson Square is located at the basement level of **800 Robson Street** in Vancouver, BC. Please visit <http://robsonsquare.ubc.ca/find-us/> for directions.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of electronic materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations/Transfers: Refunds will be given for cancellations (less a \$60.00 administration fee) if notice is received in writing five full business days prior to the program (**January 31st, 2023**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, availability of webinar or venue and transfer in-person registration to webinar registration for this event.

Course Accreditation: Attendance at this course can be listed for up to **6 hours** of continuing professional development credits with the Law Society of BC. For practitioners in other jurisdictions, please check your governing body's CPD requirements.

Registration Form

Pacific Business & Law Institute

Unit 2 - 2246 Spruce Street
Vancouver, BC Canada V6H 2P3
Telephone: 604-730-2500; Fax: 604-730-5085
E-mail: registrations@pbli.com

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- In person (\$845+GST)
- In person (Early Bird, \$745+GST)
- Live webinar (\$845+GST)
- Live webinar (Early Bird, \$745+GST)

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- Local government Commercial leasing Taxation of real estate Other _____

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- Brochure Email Colleague PBLI Website Social Media Other _____

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