

Real Estate, Land Use & Environmental

Foster Garvey's Real Estate, Land Use & Environmental team is one of the most well-respected teams in the Pacific Northwest. Our collective experience covers the full spectrum of real estate law including commercial and real estate finance, construction, environment and natural resources, land use and zoning, water quality, water rights and real estate litigation.

We have experience with all types of projects including commercial buildings, mixed-use projects, shopping centers, hospitals and medical centers, hotels and resorts, single and multi-family projects, convention centers and more. Our land use and environmental attorneys have years of experience addressing the unique issues associated with small to large projects.

Our clients include large and small local and national real estate developers, property owners, lenders, real estate investment advisors, fund sponsors, REITs, property managers, real estate agents and others involved in the real estate industry.

Blog Posts

Uncle Sam Is Watching: New Risks in Making Real Estate Deals With Foreigners
Cross Border Business Law Blog, 2.26.20

Short-Term Rental Update: Vacasa reaches unicorn status with its latest funding round; Airbnb bans 'party houses'
Northwest Real Estate Forum, 12.6.19

Short-Term Rental Update: WeWork nixes Seattle WeLive location; Booking.com shakes up short-term rentals with new star rating system; 9th Circuit affirms Santa Monica's short-term rental regulations
Northwest Real Estate Forum, 10.28.19

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Short-Term Rental Update: Vacasa as the first STR platform to directly connect to Google Hotels; Marriott selects BookingPal as its STR technology partner

Northwest Real Estate Forum , 10.3.19

Short-Term Rental Update: Seattle once again delays registration deadline for short-term rental operators; Airbnb stays eclipse top seven hotel chains combined

Northwest Real Estate Forum , 8.13.19

Short-Term Rental Update: Sonder now worth \$1 billion after its latest funding round; commercial tax rate could quadruple short-term rental tax bills

Northwest Real Estate Forum

Short-Term Rental Update: Airbnb goes luxe; The Plum Guide aims to become the Michelin Guide for the short-term rental world; short-term rental opportunities expand in Seattle with the approval of accessory dwelling units by the City

Northwest Real Estate Forum , 7.16.19

Short-Term Rental Update: Disney works its magic for short-term rentals; Airbnb educates Seattle's short-term rental community

Northwest Real Estate Forum , 6.24.19

Short-Term Rental Update: Airbnb poised for a reprieve in the EU; Guesty offers innovative and more streamlined tools for property management side of short-term rentals

Northwest Real Estate Forum , 5.17.19

Short-Term Rental Update: Short-term rental operator Lyric raises \$160m; Fannie Mae-backed mortgages allowed for short-term rentals; City of Seattle enforcement delayed

Northwest Real Estate Forum , 5.2.19

Short-Term Rental Update: Airbnb argues about City of Boston's short-term rental ordinance; AirDNA expands footprint of rental data; Google's hotel search adds short-term rentals

Northwest Real Estate Forum , 4.18.19

Short-Term Rental Update: HomeAway and Airbnb lose the battle against Santa Monica; Blueground gains traction

Northwest Real Estate Forum , 3.22.19

Areas Of Focus

Commercial & Real Estate
Finance
Construction
Environment & Natural
Resources
Land Use, Planning &
Zoning
Real Estate
Real Estate Funds &
Syndications
Water Quality
Water Rights

Related Services

Creditors' Rights &
Bankruptcy
Emerging Companies
Eminent Domain & Inverse
Condemnation
Environmental Litigation
Hospitality, Travel & Tourism
Investment Management
Public Finance & Municipal
Government
Senior & Affordable
Housing
Tax
Transportation & Logistics

Short-Term Rental Update: Short-term rentals continue to gain market share; partnering early in the multifamily development process; New York City continues to battle Airbnb
Northwest Real Estate Forum , 3.7.19

Puget Sound's Increase in Development, Investment & Supply Panel Discussions at Bisnow's 2019 Pacific Northwest Hotel Summit
Duff on Hospitality Law, 3.6.19

Short-Term Rental Update: Startup Recharge's ultra-short-term rental stays; the City of Victoria in British Columbia ramping up enforcement efforts against illegal short-term rentals
Northwest Real Estate Forum , 2.11.19

Opportunity Zone Funds – Part II: Due Diligence Required
Larry's Tax Law, 2.5.19

Short-Term Rental Update: Airbnb, Inc. v. NYC on data collection and the Fourth Amendment; Airbnb's undisclosed security camera causes privacy snafu
Northwest Real Estate Forum , 1.22.19

Short-Term Rental Update: First statewide short-term rental regulations signed into law in Massachusetts; Startups receive influx of funding signifying future collaborations in the industry
Northwest Real Estate Forum , 1.3.19

Short-Term Rental Update: L.A. approves regulations for short-term rentals; Las Vegas Council new rule called 'A Ban In Disguise' on Airbnb; Canada's first cannabis hotel plans to launch in 2019
Northwest Real Estate Forum , 12.20.18

Short-Term Rental Update: Airbnb's new 'Backyard' initiative; Miami-Dade County files lawsuits against HomeAway and FlipKey; the City of Portland to finalize data-sharing agreement with Airbnb
Northwest Real Estate Forum , 12.6.18

Resources for Doing Business in the U.S. - Installment #11 - Environmental Protection
Cross Border Business Law Blog, 4.5.18

New Seattle Building Tune-Ups Program May Trigger CAM Charge Increases in Commercial Properties
Northwest Real Estate Forum , 2.15.18

Retail Tenants: Don't Discount Those Continuous Operation Lease Clauses
Northwest Real Estate Forum , 2.8.18

Resource for Doing Business in the U.S. – Installment #9 – Real Estate
Cross Border Business Law Blog, 12.28.17

Clarity Is Key in Condemnation Judgments - *Courter v. City of Portland*, 286 Or App 39 (2017)
Northwest Real Estate Forum , 10.12.17

Cannabis Operator Potentially Faced With Lease Going up in Smoke
Northwest Real Estate Forum , 10.5.17

Is a Cannabis Lease Void as an Illegal Contract?
Cannabis Business Blog, 10.4.17

The Estate of George H. Bartell et. al. v. Commissioner – IRS Issues an Action on Decision –
Was It Too Good to Be True? The IRS Thinks So!
Larry's Tax Law, 8.29.17

Form Over Substance Sometimes Prevails in Tax Law – Estate of George H. Bartell et. al. v.
Commissioner
Larry's Tax Law, 3.8.17

Right 2 Dream Too: LUBA Says “Keep on Dreaming...”
Northwest Real Estate Forum , 10.7.16

Just Because It's on the Plat Doesn't Mean It's an Implied Easement
Northwest Real Estate Forum , 8.5.16

Borrowers Can Run but They Can't Hide – Deficiency Judgments After Washington
Receivership Sales
Northwest Real Estate Forum , 7.8.16

The Gaping Hole in Recreational Immunity Under the Oregon Public Use of Lands Act
Northwest Real Estate Forum , 5.27.16

The Roots of Dispute in Washington
Northwest Real Estate Forum , 5.20.16

Avoiding Traps in Making or Accepting an Offer of Compromise in a Condemnation Case
Northwest Real Estate Forum , 4.8.16

Is America's EB-5 Program a Boon to Development or an Opportunity for Deception?
Northwest Real Estate Forum , 2.26.16

Who Decides Whether Reasonable Access Exists - The Court or the Jury?
Northwest Real Estate Forum , 1.15.16

Welcome the Stranger
Northwest Real Estate Forum , 12.23.15

Tenants Do Not Have Standing to Sue for Prescriptive Easements
Northwest Real Estate Forum , 11.20.15

The Sharing Economy Meets the Washington Condominium Act
Northwest Real Estate Forum , 9.21.15

Have You Invited All the Right Parties to Your Easement Lawsuit?
Northwest Real Estate Forum , 8.7.15

The State Supreme Court Confirms Washington is a Neighborly State
Northwest Real Estate Forum , 7.1.15

Not So Recent Court of Appeals Case Grants Improvement Districts Statutory Right to Enter
onto the Lands of Its Members
Northwest Real Estate Forum , 5.15.15

How Adverse is Adverse?
Northwest Real Estate Forum , 4.7.15

Is What is Good for the Goose Only for the Goose? Partial Taking: A novel attempt to exclude
"Cost-to-Cure" evidence at trial
Northwest Real Estate Forum , 3.13.15

Spring Training: Games Begin; Cubs Win (in Court!)
Northwest Real Estate Forum , 3.6.15

The Supremes Sing the Banks' Song: Guarantors Can't "Stop (Paying) in the Name of Love"
Northwest Real Estate Forum , 1.30.15

RESIDENTIAL BROKERAGE COMMISSIONS – FURTHER UPHEAVAL
Northwest Real Estate Forum , 11.20.14

STILL NO COMPENSATION FOR LOST OR RESTRICTED ACCESS RIGHTS IN OREGON
CONDEMNATION ACTIONS
Northwest Real Estate Forum , 10.24.14

A Quick Primer on Unwritten Easements
Northwest Real Estate Forum , 9.10.14

Division III's Neighborly Approach to Prescriptive Easements
Northwest Real Estate Forum , 4.8.14

Who Owns a Dedicated Roadway After the County Vacates the Dedication?
Northwest Real Estate Forum , 3.14.14

The Grinch Foiled Again! - How Commercial Real Estate Loan Guarantors Got An Early Christmas Present From The Washington Court Of Appeals
Northwest Real Estate Forum , 12.26.13

Should Land Created by Accretion go to the State?
Northwest Real Estate Forum , 10.21.13

Miscommunication Leaves Buyer with a Problematic Lot
Northwest Real Estate Forum , 10.11.13

Can't Understand the Legal Description? Washington's Court of Appeals Feels Your Pain.
Northwest Real Estate Forum , 8.23.13

Adverse Possession Statute Does Not Apply to Actions to Extinguish Easements
Northwest Real Estate Forum , 6.14.13

Washington Makes Clearing Titles Easier
Northwest Real Estate Forum , 6.7.13

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Northwest Real Estate Forum , 1.16.13

Letters of Intent Revisited: 9th Circuit Finds Letter of Intent To Be Binding
Northwest Real Estate Forum , 12.14.12

Notes from 2012 ICSC Shopping Center Law Conference: Hurricane Sandy and Damage and Destruction Clauses in Retail Leases
Northwest Real Estate Forum , 11.13.12

Yet Another "Inherent Power of the Court" or How to Clean Up the Mess Left by the Guy Who Lost His Ranch
Northwest Real Estate Forum , 10.27.12

Oregon Court of Appeals Affirms Judgment Against Title Company for Changing Legal Description
Northwest Real Estate Forum , 7.24.12

In the Face of Oppressive Home Foreclosures The Washington Supreme Court Does Not Waiver!
Northwest Real Estate Forum , 6.26.12

Great Britain Wrestles with Land Use Planning Reforms: Is Oregon Next?
Northwest Real Estate Forum , 5.11.12

The State's Bundle of Sticks Stays in the State's Pile According to the Washington Supreme Court

Northwest Real Estate Forum , 3.14.12

Landlord's Failure to Meet Co-Tenancy Requirement Lets Tenant Out of Lease

Northwest Real Estate Forum , 2.10.12

Requirement for Grantor of Deed to Pursue Frivolous Defense?

Northwest Real Estate Forum , 1.5.12

A Supportive View of Private Development Restrictions

Northwest Real Estate Forum , 12.8.11

More ICSC Law Conference: Arbitration Clauses in Leases

Northwest Real Estate Forum , 11.10.11

ICSC Law Conference & SNDA's

Northwest Real Estate Forum , 11.7.11

Re-developing "Big Boxes:" Due Diligence is Key

Northwest Real Estate Forum , 7.13.11

Borrower Fails in Effort to Invoke Consumer Laws Against Foreclosing Mortgage Lender

Northwest Real Estate Forum , 6.16.11

Landowners May Condemn Private Easement After Voluntarily Landlocking Their Property

Northwest Real Estate Forum , 2.22.11

Letters of Intent: Binding, Nonbinding or a Little of Both?

Northwest Real Estate Forum , 12.29.10