

## Thomas J. Scott

Principal

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Tom focuses on real estate, hospitality and corporate transactions, including commercial leases and purchase and sale agreements.

Tom represents real estate, hospitality and corporate clients in a diverse array of matters and transactions. He has extensive experience representing commercial tenants and landlords in a wide range of leases for retail, office and industrial properties. Tom frequently works with tenants in the hospitality industry, including restaurants, bars and breweries.

On behalf of hotel owners and operators, Tom regularly advises in hotel management agreements.

Additionally, Tom has significant experience in corporate governance and M&A, advising on asset purchase and sale agreements in various sectors, including hospitality and family-owned & closely held businesses.

### Education

J.D., University of Denver, Sturm College of Law, 2013

- *Denver Journal of International Law and Politics*, Editor

B.A., Amherst College, Political Science, 2007

### Honors & Recognition

Best Lawyers: Ones to Watch - Closely Held Companies and Family Business Law, 2023-present

### Services

Real Estate, Land Use & Environmental

Business & Corporate Finance

Family-Owned & Closely Held Businesses

Hospitality, Travel & Tourism

Mergers & Acquisitions

Real Estate

### Admissions

Oregon, 2019

Rising Star, Oregon Super Lawyers, 2021-present

### **Professional Activities**

Boulder Bar Association, Real Estate Section, Co-Chair, 2016-2018

### **Community Activities**

Proud Ground, Pro Bono Volunteer

- Educating and assisting first-time homebuyers to understand home purchase agreement details under the organization's Community Land Trust model

Boulder Ballet, Board of Directors, 2015-2019

### **Experience**

Lease negotiations on behalf of Fortune 20 company

Ongoing representation of Fortune 20 company in lease negotiations with commercial and industrial developers involving facilities across the United States.

Purchase of Denver-area hotel

Represented hotel investment group in its \$9 million purchase of a hotel in Denver, Colorado. Assisted client in the negotiation of the purchase and sale agreement as well as survey and title review, additional due diligence and closing documents.

Multiple office leases in historic downtown Portland building

Represented commercial landlord in negotiating several office leases in a historic downtown Portland, Oregon, office building, including office buildout terms.

Retail lease negotiations for footwear manufacturer

Represented footwear manufacturer in its negotiation of various retail leases and to coordinate the review of additional retail leases in various U.S. locations. Negotiation included lease termination and renewal rights, exclusivity clauses, tenant improvement concessions and limitations on CAM charges.

Purchase of Portland office building

Represented commercial lighting business in the purchase of an office building in Portland, Oregon. Negotiated the purchase and sale agreement and handled related title review, due diligence and financing document review. Also assisted client with coordinated bank and SBA financing for the project.

Purchase of vineyard acreage in Oregon wine country

Represented Oregon winemaker in its purchase of vineyard acreage in Yamhill County, Oregon, including title review, due diligence matters and preparation of closing documents.

Represents owner/landlord of various office building and shopping centers  
Represents owner/landlord of various office building and shopping centers in connection with leasing, tenant defaults, and other tenant related issues.

**Acquisitions of multi-unit residential properties**

Represents a serial real estate investor on acquisitions of multi-unit residential properties throughout metropolitan Denver and the surrounding suburbs.

**Lease negotiations for a national bank**

Represents a national bank for all of its Colorado lease negotiations.

**Negotiation of loan and purchase agreements**

Represents a serial commercial developer on transactions in metropolitan Denver and throughout Colorado. Negotiates loan agreements and purchase agreements for the acquisition of undeveloped land and carries the projects through construction of the retail buildings, which are then leased and/or sold.

**Purchase of Colorado country club**

Assisted with purchase of a Colorado country club by real estate investment group.

**News**

57 Foster Garvey Attorneys Recognized Among the 2024 Best Lawyers in America; Two Portland Attorneys Named 'Lawyer of the Year'

*Foster Garvey Newsroom*, 8.17.23

Six Portland Attorneys Named to 2023 Oregon Super Lawyers Lists

*Foster Garvey Newsroom*, 7.24.23

45 Foster Garvey Attorneys Recognized Among *The Best Lawyers In America*®

*Foster Garvey Newsroom*, 8.18.22

Four Attorneys Recognized in Oregon Super Lawyers for 2022

*Foster Garvey Newsroom*, 7.1.22

Foster Garvey Promotes Six Attorneys to Principal

*Foster Garvey Newsroom*, 1.3.22

Six Attorneys Recognized in Oregon Super Lawyers for 2021

*Foster Garvey Newsroom*, 7.12.21

## Speaking Engagements

"May the Force Majeure Be With You: Examining Commercial Lease Disputes Related to COVID-19," Multnomah Bar Association COVID-19 CLE Series

Webinar

Virtual Event, 4.21.20

Colorado Real Estate Contracts 101

Speaking engagement

Boulder, CO, 10.20.16

## Legal Alerts

Oregon Extends Eviction Ban, Allows Deferred Loan Payments and Prohibits Foreclosures  
7.6.20

Oregon Governor Extends Eviction Moratorium to Commercial Leases  
4.16.20

Enforcement and Avoidance of Contracts in Oregon After COVID-19 Events  
3.20.20

## Publications

May the Force Majeure Be With You: Examining Emerging Trends in Contract Disputes Related to COVID-19

*Oregon Business Lawyer*, September 2020