

KROMANN REUMERT



Real Estate

REAL ESTATE, ENVIRONMENTAL
AND CONSTRUCTION LAW

KROMANN
REUMERT

LAW FROM A BUSINESS PERSPECTIVE

Kromann Reumert's real estate, environmental and construction law group consists of the leading experts and advisers in this practice area in Denmark. We have long and wide experience in assisting i.a. large Danish and foreign property investors, project development companies, construction companies, project developers, pension providers and large business enterprises as well as public undertakings and authorities.

At present, the group includes 38 lawyers, who work at the offices in Copenhagen and Aarhus. The group provides advice on all legal aspects involving real estate, environmental and construction law.

At Kromann Reumert, corporate and commercial insight is a core value. Our clients perceive us as a committed and attentive partner, maintaining a close and constructive dialogue to provide commercial, workable and operational solutions that add value. The lawyers in the real estate section have a profound knowledge of the real estate and construction sector which enable them to take commercial aspects into account when advising on legal issues.

This brochure provides a brief description of the different core skills that are available in Kromann Reumert's real estate, environmental and construction law group.

OUR VALUES

You are entitled to expect excellence from Kromann Reumert in every respect from the first contact through to completion of our assignment.

Kromann Reumert's core values are:

Quality, trust and commercial understanding. Furthermore a key value is that our people should enjoy working together as a team as well as with our clients.

Our mission is:

We are committed to, and trusted by, our clients, striving to work closely with them to achieve their commercial goals.

Our vision is:

We set the standard.

SALE AND PURCHASE OF COMMERCIAL PROPERTY

Kromann Reumert provides advice on the negotiation and completion of national and international transactions involving the sale and purchase of commercial properties.

We offer advice in relation to all types of properties, including hotels, shopping centres, office premises, industrial property, retail premises and residential property.

We assist public, semi-public and private investors both in Denmark and abroad, including real estate foundations, pension funds, associations, and listed and private investors.

SALE AND PURCHASE OF
COMMERCIAL PROPERTY

WE SPECIALISE IN I.A.:

- real estate M&A
- investor advice (Danish and foreign investors)
- process management in cross-border property transactions
- transfer of real estate portfolios
- structured processes in transfers
- public and private tenders
- due diligence investigations
- real estate prospectuses
- issues involving property law
- insurance matters
- registration of property
- check of public land assessment value and the handling of complaints
- option agreements
- preemption rights
- completion of private transactions (single-family houses, commonhold units and holiday cottages)
- dispute resolution, including mediation, arbitration and litigation

PROJECT DEVELOPMENT

Kromann Reumert provides legal advice on project development – from the idea conception and project description to the regulatory assessment, financing, building, leasing and subsequent sale of the project.

We assist public and private employers, project developers, public and semi-public authorities and investors, both in Denmark and abroad.

Project
development

WE SPECIALISE IN I.A.:

- the purchase of land
- registration issues
- zone changes
- agricultural legislation
- planning and regulatory issues
- homeowners', owners' and cooperative housing associations
- choice of corporate form
- tenders – national and EU rules
- project guidance
- construction law and consultancy agreements
- environmental matters
- sale and purchase agreements
- leases
- direct and indirect taxes
- project financing

CORPORATE REAL ESTATE

Kromann Reumert provides legal advice on the choice of corporate form in relation to single properties and property portfolios.

We assist both Danish and international investors with advice on – and completion of – corporate structure, including real estate foundations, pension funds, associations, and listed and private investors.

Corporate
real estate

WE SPECIALISE IN I.A.:

- the implementation of ownership structures
- real estate M&A
- financial instruments
- Real Estate Investment Trusts - REITs
- associations and association certificates
- listed property companies
- private property companies
- real estate foundations (Danish and foreign)
- asset-backed securities
- limited partnership companies
- limited partnerships
- partnerships
- cross-border structures
- asset management agreements
- property management agreements

REAL ESTATE FINANCING

Kromann Reumert provides legal advice on all aspects of financing of properties, property portfolios and property companies.

We assist Danish and foreign banks, mortgage credit institutions, borrowers, agents and rating agencies.

Real estate
financing

WE SPECIALISE IN I.A.:

- long-term loans
- bridge loans
- refinancing
- structured facilities
- project financing
- construction loans
- financing of wind turbines and other special assets
- the provision of foreign security
- mortgage loans
- asset-backed securities
- sale-and-lease-back
- non-performing loans
- enforcement
- disputes

REAL ESTATE TAX

Kromann Reumert provides legal advice on all issues that are relevant in terms of real estate tax, including the tax implications of the transfer of real estate, project development, construction and leases.

Real estate
tax

WE SPECIALISE IN I.A.:

- VAT adjustment liability
- indirect taxes
- service charges
- VAT
- tax relief
- tax advice in case of a transfer and ownership structure
- check of public land assessment value and the handling of complaints
- disputes with the public authorities

COMMERCIAL LEASE LAW

Kromann Reumert provides legal advice on all aspects of commercial lease law, including in relation to lease agreements, disputes arising during the term and after termination of the lease, and advice on transactions, project development and investment.

We assist both lessors and lessees and both private and public players, national as well as international.

Commercial
lease law

WE SPECIALISE IN I.A.:

- the negotiation and conclusion of all types of business lease agreements, including domicile leases and specification of requirements in respect of the arrangement of the premises
- sale-and-lease-back transactions
- due diligence investigations
- lease agreements, including for hotels and restaurants
- all matters pertaining to centre leases
- drafting and negotiation of lease agreements in connection with project development cases
- assignment of (retail) premises
- subleases
- franchising agreements
- the acquisition and operation of rental property
- planning and other regulatory issues relating to the use of leased premises
- rebuilding of properties/leased premises and relevant requirements
- rent review, both agreed and market rent adjustments, changes in direct and indirect taxes and increases as a result of improvements
- issues relating to consumption and operating accounts
- termination disputes
- issues relating to the statutory protection of business tenants, including claims for damages and compensation for loss of goodwill if the lessor gives notice to quit
- notice of defects both on occupation of leased premises, during the lease term and on termination of the lease
- vacation disputes
- dispute resolution, including mediation, arbitration and litigation
- registration and cancellation of lease agreements
- residential lease law
- the landlord's duty to make an offer to the tenants under the Danish Rent Act

CONSTRUCTION LAW, TECHNICAL ADVISERS AND PROCUREMENT LAW

Kromann Reumert provides legal advice on the negotiation and performance of national and international construction and project development contracts.

We assist our clients in connection with both public and private building projects. In addition, we provide services in relation to contracts with suppliers and advisers, processing plant and infrastructure, pipes, wires, cables and supply lines, and wind turbines.

Construction law, technical advisers and procurement law

WE SPECIALISE IN I.A.:

- the tender procedure
- drafting and review of construction contracts and consultancy agreements, and common/special terms
- consortium agreements
- public-private partnerships
- partnering
- FIDIC
- regulatory issues – planning legislation and building rights
- assistance during the construction of buildings/plant and surrender - i.a. assessment of claims due to delay or defects and participation in steering groups
- financing and provision of security
- the employer's or contractor's suspension of payments or bankruptcy, including completion of work in progress and the handling of guarantees
- insurance matters
- expert opinions and decisions
- dispute resolution, including mediation, arbitration and litigation



ENVIRONMENTAL AND PUBLIC LAW

Kromann Reumert's environmental and public law group provides legal advice to business clients and public authorities on all issues involving environmental and public law.

We advise on environmental and regulatory issues in both isolated and on-going cases, and assist our clients in complaints and legal proceedings in these areas.

Environmental and
public law

WE SPECIALISE IN I.A.:

- planning legislation
- real estate regulation
- environmental regulation of enterprises/
contaminating activities
- soil contamination
- waste
- environmental issues in case of a business transfer, or a sale
or purchase of (business) properties
- public utilities, etc.
- legal issues relating to roads, including the rights and obligations of
owners of pipes, drains, wires, cables and supply lines
- the mounting of signs in public and private areas
- legal issues of local authorities, including i.a. the non-statutory
powers of municipalities and municipal business activity
- sale of real estate owned by municipalities according to
the relevant statutory order, including derogations and ex-
emptions from the statutory rules
- urban and port development, including the formation of ur-
ban and port development companies
- compulsory sale
- administrative law, including i.a. formal and substantive
requirements to be observed for decisions to be effective
- public authorities' liability for damages in case of void decisions,
e.g. ineffective planning permissions or local plans

REAL ESTATE AND INSOLVENCY

Kromann Reumert provides legal advice on the management of real estate in case of insolvency, either in relation to the individual property as a result of enforcement of security or following the owner's suspension of payments and bankruptcy, and in connection with reorganisations.

We assist banks and other lenders as well as creditors and national and international investors. Also, we act as supervisors appointed by the enforcement court during suspension of payments and as trustees in bankruptcy cases.

Real estate
and insolvency

WE SPECIALISE IN I.A.:

- non-performing loans
- execution
- enforcement of security
- sales by order of the court, including collection of mortgage debt
- real estate in connection with a suspension of payments
- stand-still arrangements
- real estate in connection with bankruptcy proceedings
- avoidance of real estate transactions
- real estate in connection with arrangements with creditors
- reorganisation
- the taking of possession of mortgaged property
- mortgagee accounts
- winding-up procedures not notified

PRACTICE GROUPS / SPECIALIST AREAS

Banking and finance law	Commercial and company law	Competition law
Employment & labour law	Energy law	German desk
Insolvency law	Insurance & tort law	Intellectual property, media & marketing law
IT & telecommunications	Life Science	Litigation & arbitration
Maritime & transportation law	Mergers & acquisitions	Private clients
Real property, environment & construction law	Shipping	Stock exchange regulation
Tax law		

KROMANN REUMERT SETS THE STANDARD IN DENMARK

Kromann Reumert is Denmark’s premier law firm with a long history of excellence in the provision of legal services. We have offices in Copenhagen, Aarhus, London and Brussels. Kromann Reumert employs 530 people, 300 of whom are lawyers.

ALL SPECIALISTS IN ONE PLACE

With Kromann Reumert, each business area has a designated practise group leader. The practise group leader works closely together with the other Partners and lawyers in the group to refine our skills and deepen our insight within each particular area. Striving always to remain on the cutting edge, our objective is to earn our place as Denmark’s premier legal adviser within each area individually and as a whole. With this many specialised skills combined in one place, we have the power to constantly renew ourselves and to stay updated on the most recent trends – that is one reason why we’re setting the standard.

CROSS-SPECIALTY TEAM OF EXPERTS

As a full-service law firm, we are equipped to handle all of our clients’ legal advice requirements. No matter what a client is facing, we can put together a team of specialists to match exactly those needs. In short, clients will not have to select and deselect – we will put together just the right team of experts automatically. At the same time, we train our staff to look across specialty areas and understand commercial aspects of each assignment, to benefit of the client.

AN INTERNATIONAL APPROACH

At Kromann Reumert we have chosen to take an international as well as a domestic approach to our work. Apart from having the largest number of foreign trained lawyers in any Danish law firm, our firm has had a tradition of employing Danish lawyers who have either been educated outside of Denmark or have worked in other countries. The firm has the most significant network of international offices of any Danish law firm and, in addition, is active in most international legal organisations, such as IBA, ABA and AIJA, and several of our partners have held leadership positions in the international legal community

Moreover, all lawyers are fluent in at least the Scandinavian languages and English. In addition, many lawyers are capable of working in either German, French or Spanish. Additional languages spoken by Kromann Reumert staff include Russian, Hebrew, Polish, Hindi, Dutch and Italian.

CONTACT THE REAL ESTATE,
ENVIRONMENTAL AND
CONSTRUCTION LAW GROUP

KROMANN
REUMERT

COPENHAGEN



**NIELS BALSLEV
PARTNER**

EU procurement law, Real property, environmental and construction law, Public law
Phone: +45 70 12 12 11
Direct: +45 38 77 45 38
Mobile: +45 20 47 11 16
Fax: +45 70 12 13 11
E-mail: nb@kromannreumert.com



**FLEMMING HORN ANDERSEN
PARTNER**

Real property, environmental and construction law
Phone: +45 70 12 12 11
Direct: +45 38 77 43 66
Mobile: +45 20 14 22 99
Fax: +45 70 12 13 11
E-mail: fha@kromannreumert.com



**THOMAS ALBRECHTSEN
PARTNER**

Banking and finance law
Real property, environmental and construction law
Phone: +45 70 12 12 11
Direct: +45 38 77 43 55
Mobile: +45 22 66 64 68
Fax: +45 70 12 13 11
E-mail: ta@kromannreumert.com



**IEBEN CHRISTENSEN
ASSOCIATE PARTNER**

Real property, environmental and construction law
Phone: +45 70 12 12 11
Direct: +45 38 77 43 17
Mobile: +45 24 86 00 21
Fax: +45 70 12 13 11
E-mail: ich@kromannreumert.com

AARHUS



**HOLGER SCHÖER
PARTNER**

EU procurement law
Real property, environmental and construction law
Phone: +45 70 12 12 11
Direct: +45 38 77 43 79
Mobile: +45 20 19 74 35
Fax: +45 70 12 14 11
E-mail: hsc@kromannreumert.com



**JACOB MØLLER
PARTNER**

Real property, environmental and construction law
Phone: +45 70 12 12 11
Direct: +45 38 77 43 63
Mobile: +45 20 19 74 05
Fax: +45 70 12 14 11
E-mail: jmo@kromannreumert.com



**KIM TRENSKOW
ASSOCIATE PARTNER**

Real property, environmental and construction law
Insurance and tort law
Public law
Litigation and arbitration
Phone: +45 70 12 12 11
Direct: +45 38 77 43 99
Mobile: +45 20 19 74 26
Fax: +45 70 12 14 11
E-mail: kt@kromannreumert.com

COPENHAGEN

Kromann Reumert
Sundkrogsgade 5
DK-2100 Copenhagen
Denmark

Phone: +45 70 12 12 11
Fax: +45 70 12 13 11
E-mail: cph@kromannreumert.com

LONDON

Kromann Reumert
42 New Broad Street
London EC2M 1JD
England

Phone: +44 207 920 3030
Fax: +44 207 920 3099
E-mail: lon@kromannreumert.com

ÅRHUS

Kromann Reumert
Rådhuspladsen 3
DK-8000 Århus C
Denmark

Phone: +45 70 12 12 11
Fax: +45 70 12 14 11
E-mail: arh@kromannreumert.com

BRUSSELS

Kromann Reumert
Rue du Luxembourg 3
B-1000 Brussels
Belgium

Phone: +32 2 501 07 00
Fax: +32 2 501 07 01
E-mail: bru@kromannreumert.com

Kromann Reumert's vision is "We set the standard". Good is not enough - we want to be the best. We provide value-adding solutions and advice with full involvement and commitment. We get there by focusing on quality, business know-how, spirited teamwork, and credibility. We are Denmark's leading law firm, employing 530 staff members, 300 of whom are lawyers. Our offices are located in Copenhagen, Aarhus, London, and Brussels.