

REITs and REMICs

Practices and Industries

PRIMARY CONTACTS

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Our sophisticated national Real Estate Practice Group works closely with a variety of clients involved or interested in starting a real estate investment trust (REIT) or a real estate mortgage investment conduit (REMIC).

REITs

Our lawyers have significant experience advising clients on virtually every matter related to REITs, including:

- Formation, organization and operation of REITs
- Taxation of REITs
- Maintenance of REIT qualification
- Property acquisitions and other investment transactions by REITs
- Acquisition, merger and liquidation of REITs

We regularly counsel clients on issues regarding the taxation of investors in REITs, including tax-exempt investors and foreign investors. We work closely with our corporate, finance and real estate lawyers to achieve favorable results for clients, leveraging our knowledge and experience to provide innovative solutions that help fulfill our clients' business and economic objectives.

REMICs

Our real estate lawyers routinely advise clients on issues relating to all aspects of REMICs, including:

- Formation of REMICs

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- Structuring regular and residual interests in REMICs
- Loan modification issues, especially the significant modification test and exceptions to circumstances in which significant modifications result in prohibited transactions and/or loss of qualified mortgage status
- Taxation issues for REMICs

We continually monitor the ever-changing landscape of relating to REMICs' ability to modify debt instruments in connection with non-performing (or expected to be non-performing) loans.