

Fineman, Krekstein & Harris has vast experience in all aspects of real estate law, both on the transactional side and the litigation side. Our attorneys have assisted clients in all phases of real estate development, ownership, management and leasing; negotiated agreements of sale, analyzed and resolved environmental problems, and successfully guided clients through local governmental approvals. We have helped clients obtain financing and have negotiated complex loan documents.

The Firm has special expertise in the law of Condominiums and Community Associations, representing many of Philadelphia's Condominium Associations.

In addition, our lawyers have considerable experience working with non-profit and for profit developers, as well as governmental entities and funders in connection with affordable housing projects. This work includes advising our clients in structuring the legal entities, acquiring real estate (including through the condemnation process), clearing title, obtaining land use approvals, and negotiating the financing, which often involve a variety of governmental and private sources of grants, equity investments and loans.

On the litigation end, the firm has litigated lease and purchase disputes between owners and tenants, and owners and buyers, representing parties in each of those roles; zoning disputes and appeals of all kinds; disputes between condominium associations and developers and internal condominium disputes; and the Firm is a leader in [Philadelphia's Tax Assessment Appeals](#).

Affordable Housing and Community Development Finance

Brokers

Community Associations

Condominium Law

Litigation

Land Use and Zoning

Regulatory Issues

Transactions

### **Representative Matters**

In a landmark decision for condominium owners, Fineman Krekstein & Harris succeeded in having the Supreme Court of Pennsylvania overturn a Superior Court ruling on condominium governance. The Superior Court ruled that condominium boards did not have the power to limit non-resident owners use of parking spaces. The Supreme Court rejected that blanket ruling, instead limiting review of the board's actions to those instances where the condominium governing body actions are unauthorized, are fraudulent or constitute self dealing. This gave greater recognition to governing councils' decisions, and limited judicial review of the condominium's internal affairs.

Represented a local television station needing a zoning variance to erect a microwave transmission tower in a heavily populated area of Philadelphia, before the local zoning board of adjustment. Working with the community and an expert in microwave technology, Fineman Krekstein & Harris successfully allayed neighbor concerns about health and aesthetics prior to the hearing, easing the way for a prompt approval of the variance at a reasonable cost to the client.

When a client's development project seriously strained his financial resources, Fineman Krekstein & Harris attorneys structured a tax-advantaged sale of the project. The sale benefited both the buyer and seller while at the same time also resolved an ongoing dispute between our client's shareholders.

Represented a condominium association and obtained a landmark decision whereby condominium unit owners cannot withhold or escrow payment of assessed charges for any reason, including dissatisfaction with the condominium association's performance of common element maintenance.

Represented a condominium association in a case in which the court held that the recorded condominium documents govern all major decisions made by the association. The owner of a high-rise condominium unit claimed she paid higher condominium fees than her neighbor who had the same unit on a higher floor. The court held in favor of the condominium association.

Represented a condominium association in an action to remove an owner who was disruptive in the building. Worked with local law enforcement, association management and social services to enable the owner to get appropriate housing and care.

Obtained zoning variances for large commercial developers before the Philadelphia Zoning Board of Adjustment.

### **Related Attorneys**

Lee Applebaum

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