



# Bernard L. Smith

## Member

## Washington, D.C.

[blsmith@cozen.com](mailto:blsmith@cozen.com) | (202) 747-0761

Bernard has nearly three decades of real estate experience with a primary focus on the acquisition, sale, development and financing of commercial office, industrial, retail, multifamily, hotel, and resort properties. Bernard also advises developers, lenders, and brands for hospitality projects located throughout the United States, Mexico, the Caribbean, the Middle East, Africa, and the Far East, including the negotiation of management, franchise, brand licensing, and related agreements.

Bernard represents developers of condominiums, co-ops, timeshare, fractional and home-site projects. He has considerable experience in drafting project owners association documentation, consumer purchase and finance forms, and declarations of CC&Rs, and serves as borrower's counsel to condominiums and co-ops. Bernard has deep experience in registering developments with various state real estate agencies, including registering projects with the Real Estate Finance Bureau of the New York Attorney General. He also drafts complex consumer offering plans and related disclosures and filings, and issues opinion letters in asset-backed securitizations.

Before joining Cozen O'Connor, Bernard was a partner at a national law firm where he was a member of their real estate group. Prior to that, he interned with the U.S. Department of Justice.

Bernard earned his bachelor's degree in civil engineering, first in civil engineering class, *magna cum laude*, from Syracuse University and his law degree from The George Washington University School of Law.

## Experience

Represented Blue Lake Capital in its \$131 million acquisition of a large, multi-building apartment complex in the Arcadia Cove section of Phoenix, Ariz. The transaction involved a preferred equity investment by a third-party investor, a tenant-in-common ownership structure, and the assumption of two loans in the aggregate amount of \$88 million. The transaction drew on the experience of Cozen O'Connor's real estate, corporate, and tax attorneys.

Represented a local community bank in connection with a \$20 million construction loan for a retail development in Owings Mills, Md.

Represented a local community bank in connection with a \$14.8 million acquisition loan for a South Carolina property.

Represented a local community bank in connection with a \$28.5 million term loan for retail and commercial office buildings located in Rockville, Md.

Represented the borrower in connection with the \$90 million and \$12.5 million refinancings of properties located in Herndon, Va.

Represented the buyer in a membership interest purchase for a multifamily property located in Nashville, Tenn.

Represented the lender in connection with a \$48.4 million loan for a multifamily development in Bethesda, Md.

## Practice Areas

- Real Estate
- Real Estate Development
- Real Estate Finance
- Condominiums & Cooperatives

## Industry Sectors

- Hospitality
- Real Estate & Construction

## Education

- George Washington University Law School, J.D., 1994
- Syracuse University, B.S., *magna cum laude*, 1991

## Bar Admissions

- District of Columbia
- Virginia

## Court Admissions

- U.S. District Court -- Eastern District of Virginia

## Affiliations

District of Columbia Bar Association

Virginia State Bar

American Resort Development Association

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P: (202) 747-0761 | F: (202) 861-1905

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Represented a New York City condominium association in connection with a \$1.6 million loan.

Represented a local community bank in connection with the \$14.3 million refinance of property located in McLean, Va.

Represented the lender in a \$47 million construction loan for commercial property located in Brandywine, Md.

Represented a private equity borrower in connection with a \$49 million loan for a multifamily development in Brandywine, Md.

Represented the developer in connection with a \$21.7 million construction loan for a multifamily development in Lancaster County, SC.

Represented the seller in the short sale of a commercial office building located in Fairfax, Va.

Represented the borrower in the acquisition and \$29.5 million loan for a multifamily property located in Horry County, SC.

Represented the seller in the short sale of two hotels owned under Sharia structure and located in the suburbs of Boston.

Represented the borrower in a \$22.5 million construction loan for a multifamily development in Huntersville, NC.

Represented a \$75 million participant in a \$500 million syndicated loan for a data center in Northern Virginia.

Represented a community bank in connection with a \$13 million loan for an industrial portfolio in Culpeper, Va.

Represented lender in \$47 million construction loan for commercial property located in Brandywine, Maryland.

Represented local community bank in \$14.3 million refinance of property located in McLean, Virginia.

Represented the borrower in a \$51 million construction loan for property in Charlottesville, Va.

Represented a private equity group in the acquisition of commercial office buildings in Salt Lake City for \$109 million.

Represented a private equity group in the acquisition of a \$39 million commercial office building in Salt Lake City, including the acquisition of separate ground lease and fee interests and merger of title at closing.

Represented a private equity group in the acquisition of a \$65 million, 34-building light industrial portfolio in Houston.

Represented a private equity group in the acquisition of a \$15.5 million industrial portfolio in Indianapolis.

Represented a private equity group in the acquisition of a \$32 million commercial office building in Salt Lake City.

Represented a private equity group in the acquisition of a \$54 million industrial portfolio in Fort Worth, Tex.

Represented a private equity group in the acquisition of a \$15 million business park in Dallas.

Represented a private equity group in the acquisition of a \$70 million industrial portfolio in Indianapolis.

Represented a local community bank in a \$20 million construction loan for a property in Owings Mills, Md.

Represented a local community bank in a \$10 million acquisition loan for property located in Bethesda, Md.

Represented the borrower in a \$133 million construction loan for property located adjacent to Nationals Park in Washington, D.C.

Represented a private equity group in the \$115 million sale of a condominiumized office building located in Charlotte, N.C.

Represented a private investment firm in the purchase and branding of a Las Vegas resort property.

Represented a private equity group in the sale of a \$85 million condominiumized parking garage located in Charlotte, N.C.

Represented the purchaser in the \$60.5 million acquisition of Georgia industrial properties.

Represented an international hotel brand and developer in the extension of management and the \$22 million acquisition of unsold fractional and condominium unit inventory in a prominent California resort property.

Represented lenders and developers in connection with numerous note hypothecations and securitizations.

Represented the lender in a \$47 million loan for the acquisition and refinance of two industrial properties in Virginia.

Represented the lender in a \$17.5 million refinance of a Maryland industrial portfolio.

Represented the lender in a \$25 million refinance of commercial property in the District of Columbia.

Represented a private equity group in the finance of a \$35 million Virginia residential development.

Represented a private equity group in the finance of a \$63 million District of Columbia office building.

Represented the lender in a \$66.8 million construction loan for development of a Virginia residential property.

Represented a private equity group in a \$134 million senior and \$29 million mezzanine financing of an industrial portfolio acquisition.