



## Brian Diamond Partner

Brian Diamond is Co-Chair of the Real Estate Group and a member of the Firm's Executive Committee. He concentrates his practice in counseling institutional investors, real estate opportunity funds and investment advisers. Over the years, Brian has been lead counsel in many of the nation's most significant and complex real estate transactions. He is a skilled negotiator and draftsman and has assisted his clients in the acquisition, financing and disposition of billions of dollars in real estate transactions nationwide of every asset class, from parking concessions, hotels and senior housing, to super-regional malls. Brian counsels investment managers with respect to their advisory duties and advises clients as to the formation of and/or investment in real estate funds and infrastructure funds.

Brian regularly represents managers of public and private pension funds in acquisitions, joint ventures, development transactions, financings and dispositions. He is well versed in the tax and ERISA rules that govern the behavior of tax-exempt investors and, for nearly three decades, has successfully been advising fiduciaries with respect to the management of their client's real estate investments. Brian is a seasoned negotiator of joint ventures with developers of every property type and is a significant force in the firm's real estate opportunity fund practice.

Brian is just as at home representing lenders as he is representing borrowers. He has managed several mortgage and mezzanine lending programs for firm clients, some of which programs he helped to design. Brian has been extremely active in real estate workouts and restructurings. Drawing on Stroock's significant insolvency and litigation resources, Brian has coordinated real estate foreclosures, prepackaged bankruptcies and deed-in-lieu transactions on behalf of his clients. Brian is experienced in dealing with "green" real estate and has been a speaker on the "greening" of commercial real estate.

In addition to bringing mature judgment and keen business acumen to the table, Brian has over 25 years of front line experience in dealing with the real world issues that affect the performance of real estate assets, including, environmental issues, bankruptcy, tax issues, casualties, condemnation, litigation and land use restrictions.

Brian is a member of the Pension Real Estate Association, the Commercial Mortgage Securities Association and the Legal Advisory Board of First

### New York

Phone: 212-806-5569  
Fax: 212-806-6006  
bdiamond@stroock.com

### Related Services

- Acquisitions / Dispositions
- Alternative Property
- Corporate Real Estate
- Development and Construction
- Joint Ventures
- Lending / Distressed Real Estate
- Private Funds and Asset Management
- Qualified Opportunity Zones
- REITs
- Real Estate
- Real Estate Investment Management

### Education

J.D., Brooklyn Law School, 1982; Editor-in-Chief, *Brooklyn Law Review*; Recipient, American Jurisprudence Award for Constitutional Law; Recipient, Law Review Prize

B.A., State University of New York at Stony Brook, 1978

American Title Insurance Company of New York. He has spoken on diverse topics including Joint Ventures, ERISA Rules, Sustainable Real Estate, Unrelated Business Taxable Income, Distressed Real Estate and Brokerage Issues.

### **Honors & Awards**

Brian is listed in *Chambers USA: America's Leading Lawyers for Business* as one of the nation's top real estate attorneys. He has also been recognized by *The Legal 500* and *Best Lawyers*.

### **Memberships**

- Member, Association of Foreign Investors in Real Estate (AFIRE)

### **Speeches & Events**

- Speaker, The Rise of Commercial Condominiums, *Stroock Podcast*, May 10, 2021
- Moderator, "Reentry in the New Normal: Real Estate and Tax Considerations," Stroock and KPMG Webinar, May 7, 2020

### **Publications**

- Co-author, "New York City Department of Finance Adopts Final Rule Expanding CPACE Program," *Stroock Client Alert*, October 26, 2021
- Co-author, "DOB Releases Long-Awaited Guidance for Climate Mobilization Act Adjustment Applications," *Stroock Client Alert*, April 16, 2021
- Co-author, "NYC's C-PACE Financing Program for Energy Efficiency Retrofits is Going Live," *Stroock Client Alert*, April 7, 2021
- Co-author, "The Nuts and Bolts of Loan Purchases and Sales (Part 1: Purchaser Due Diligence)," *Stroock Client Alert*, March 1, 2021
- Co-Author, "NY City Council Passes Expansion of Climate Mobilization Act for Residential Properties," *Stroock Client Alert*, October 30, 2020
- Co-Author, "5 Key Considerations as 1-Year Countdown Begins for Climate Mobilization Act," *New York Law Journal*, July 13, 2020
- Co-Author, "5 Key Considerations as Climate Mobilization Act Draws Near," *Stroock Special Bulletin*, July 1, 2020
- Co-author, "Landlord Concerns for 'Reentry' – A Deeper Dive," *Stroock Special Bulletin*, May 11, 2020
- Co-author, "Some Practical Building Reentry Concerns for Landlords and Tenants," *Stroock Special Bulletin*, April 29, 2020
- Co-author, "Preparing Real Estate Professionals for NYC's Climate Mobilization Act," *New York Law Journal*, April 21, 2020
- Co-author, "Navigating Coronavirus: Updates for REIT General Counsel," *Stroock Special Bulletin*, April 9, 2020
- Co-author, "Pre-Negotiation Letters During COVID-19," *Stroock Special Bulletin*, April 1, 2020
- Co-author, "Relief for Borrowers From the Federal Government and in NY and FL," *Stroock Special Bulletin*, March 24, 2020

**Brian Diamond**

- Co-author, "Legal and Practical Risks: How COVID-19 Is Complicating Real Estate Closings," *Stroock Special Bulletin*, March 24, 2020
- Co-author, "What Cuomo's 'on PAUSE' Order Means for the Real Estate Industry," *Stroock Special Bulletin*, March 23, 2020
- Co-author, "Steps for Businesses to Consider as Coronavirus Spreads," *Stroock Special Bulletin*, March 3, 2020
- Co-author, "The NYC Climate Mobilization Act: Examining Relief Provisions," *Stroock Special Bulletin*, March 2, 2020
- Co-author, "The NYC Climate Mobilization Act: How to Prepare and What You Need to Know," *Stroock Special Bulletin*, January 16, 2020

Quoted in

- "Where South Florida Firms Are Targeting for Growth in 2022," *Daily Business Review*, December 23, 2021

**Admitted To Practice**

New York