

Practice Areas of Leezhao--- Real Estate and Construction

Practice Areas:

Real estate and construction usually involves multiple phases and areas. For general foreign-invested projects, it may cover the acquisition and leasing of real estate and project construction during the investment, the transfer, disposal, mortgage, swap and relocation of real estate during the M&A and the reconstruction, as well as the transfer, disposal and demolition compensation of real estate during the withdrawal. For foreign-invested real estate enterprises, it may cover acquisition of land use right, project loan, project construction, real estate leasing, property management and so forth. Among the clients of Leezhao, there are many large multinational enterprises, manufacture enterprises and logistic enterprises. To meet the clients' legal needs on real estate and construction, Leezhao devotes itself to the study, exploration and application of rules and regulations of the real estate and construction in China, to provide professional guiding advice and legal service in this field.

The professional services hereof provided by Leezhao include:

1. Representing clients to participate in the negotiations of the access to and land acquisition of investment projects. Producing and reviewing for the clients the project investment agreements, as well as the agreements regarding sale, transfer and lease of real estate, etc.
2. Representing clients to participate in the negotiations of a construction project. Producing and reviewing various construction contracts, including project-contracting contracts (including EPC contracts), survey and design contracts, construction contracts, supervision contracts, project management contracts, procurement contracts and decoration contracts, etc.
3. Representing clients to participate in the negotiations related to final acceptance and delivery, project warranty, project settlement, project claims, etc. Producing and reviewing relevant agreements and documents, etc.
4. Providing clients with various services on the fulfillment and the process of construction project contracts.
5. Representing clients to participate in the dispute settlement related to construction contracts (including arbitrations, litigations, etc.).
6. Providing clients with services related to project finance and real estate mortgage.
7. Providing clients with services related to real estate leasing, property management and operation.
8. Representing clients to participate in the negotiations of real estate relocation, demolition and compensation. Producing and reviewing the compensation agreements related to the demolition, etc.

Achievements (Typical Cases)

Achievements of Leezhao in Real Estate and Construction

Recent years, with the entrustment from clients, some typical cases in handling real estate and construction include:

1. One project from our client is Japan's largest investment project in China. As the regular legal counsel of the client, Leezhao participated in the negotiations of the access to and the land acquisition of the investment project. Leezhao also produced and reviewed various construction project contracts and provided services on the fulfillment and the process of construction project contracts. In addition, Leezhao also assisted the client in handling negotiations related to final acceptance and delivery, project warranty, project settlement and project claims.
2. One project from our client is a high-tech manufacturing project registered in Jiading District, Shanghai. Due to the demolition of Volkswagen MEB project, Leezhao negotiated with the government on behalf of the client and provided the client with overall services covering asset evaluation and compensation, placement after demolition, relocation, project access and project construction, etc., which fully guarantees the legal rights of the client.
3. Obtaining "property certificates" for several old projects with incomplete construction formalities. When foreign-invested projects were introduced under preferential conditions at the very beginning, many old projects had omissions in design, construction, acceptance and other aspects due to various reasons, which resulted in the failure to obtain a "property certificate." Leezhao represented clients to communicate and coordinate with a dozen government departments, and requested the departments to share the responsibilities for special approval by coordination and consultation. In addition, Leezhao also applied the current technical methods and archives skillfully to fill the shortage of historical materials. Finally, the "property certificates" were obtained successfully for the "buildings without approval" for many clients.
4. Leezhao has long served as regular legal counsel for a number of real estate development enterprises, project design enterprises, owners of commercial buildings, property companies, etc. Leezhao represents clients in handling multiple regular affairs and disputes such as real estate development/construction, project design, sale/leasing of commercial buildings, property management and so forth.