



# DEPARTMENT REAL ESTATE LAW

The firm advises, assists and defends the interests of clients in real estate law



## OUR SERVICES

### Consulting:

We provide legal advisory services, such as contract analyses, audits, consultations, and proposals for compliance of contractual documents. We advise our clients on a daily basis and assist them, in particular, to facilitate their decision-making and strategies for successfully carrying out their projects.

### Pre-litigation and amicable dispute resolution:

We pay particular attention to finding amicable solutions in the event of conflicts, in an attempt to avoid referral to the competent courts. When appropriate, we will resort to amicable dispute resolution methods such as mediation or conciliation. We also take care during this phase of discussions to preserve all of our clients' rights.

### Litigation:

We defend our clients' interests before civil, criminal, and administrative courts, both at first instance and on appeal. Expert appraisals are inherent to our real estate law practice. We accompany our clients to all meetings and assist them with discussions, particularly technical ones.

## OUR AREAS OF INTERVENTION

### DRAFTING LETTERS OF INTENT AND CONTRACTS

- Advice and litigation related to the application or challenge of commercial lease status (renewal, review, eviction, termination)
- Setting of revised or renewed rent, amicably or judicially
- Advice and litigation related to the execution of leases and difficulties encountered: works, purpose, charges, etc.
- Advice and litigation related to BEFA, long-term leases, and construction leases



- **RESIDENTIAL LEASES:**

- Drafting leases and supporting their management: notices, formal notices, payment orders, etc.
- Advice and litigation management related to the execution, renewal, and termination of leases and the supervision and/or capping of rent
- Disputes related to short-term furnished rentals (such as Airbnb) and potential change of use issues
- Case monitoring Eviction of occupants without right or title and squatters

- **CONSTRUCTION AND REAL ESTATE DEVELOPMENT:**

- Drafting, advice, and litigation related to construction contracts, project management, subcontracting, project management assistance, delegated project management, and general contractor
- Drafting, advice, and litigation related to VEFA (off-plan sales), CCMI (commercial construction management companies), and forward sales
- Legal development of development projects and acquisition of plots or buildings to be renovated
- Preventive summary proceedings, appraisals, and provision and monitoring of appraisals
- End-of-construction disputes: final general statement, penalties and deductions, lifting of reservations and defects in perfect completion guarantees, additional/modified work, non-payment of invoices, etc.
- Implementation of legal guarantees and builder liability disputes: civil, professional, ten-year, etc.

- **TRANSACTIONS AND REAL ESTATE OWNERSHIP:**

- Assistance in negotiating deeds of sale
- Advice during the amicable and Litigation during contract negotiations: breakdown of negotiations, monitoring of conditions precedent, difficulties in executing sales agreements, etc.
- Pre-emption and expropriation
- Acquisition audits: ownership, rental and administrative situation, identification of disputes, easements and real rights, etc.

- **PROPERTY AND CO-OWNERSHIP MANAGEMENT:**

- Advice to property managers and co-owners, litigation management: allocation of expenses, joint ownership, operation of the syndicate, amendments to co-ownership regulations, renovations, etc.
- Monitoring of general meetings: cancellation of resolutions or general meetings, liability actions, etc.
- Recovery of expenses, litigation, and implementation of protective measures
- Co-ownerships in difficulty
- Advice and litigation related to large housing projects and ASL (Associations for the Protection of Residential Buildings), AFUL (Association for the Protection of Residential Buildings), etc.

## REAL ESTATE SEIZURE :

- For creditors: Auditing of enforceable titles, registration of judicial security interests (e.g., mortgages), and management of the seizure procedure through to sale and distribution of proceeds.
- For debtors: Challenging the direction of the seizure, requesting authorization for an amicable sale, and suspending legal proceedings.
- For investors: Analysis of the legal and urban planning risks of the property in light of the terms of sale, representation at the auction hearing to bid, and completion of the formalities for publishing the deed of sale.

## OUR RECENT MISSIONS

- Audit of occupancy contracts and leases in the context of a business transfer.
- Preventive relief in the context of construction and real estate development projects.
- Supporting developers in negotiating agreements to secure building permits and successfully complete their projects.
- Assistance in negotiating a promise of sale and obtaining forced execution from the seller.
- Implementing a conventional mediation measure, including the intervention of a court-appointed expert, amicably appointed by the parties, for the purpose of finalizing a BEFA (off-plan lease) transaction.
- Consultation on the lessee's obligations regarding the restitution of leased premises and the remediation of the occupied site, with regard to these obligations.
- Referral for expert advice to request the appointment of a court-appointed expert in the context of the execution of a renovation contract for a single-family home, which resulted in disruption and significant financial and use loss.
- Summons for the purpose of setting the rent for a renewed commercial lease and supporting the client throughout the procedure, including monitoring the court-ordered expert appraisal.
- Analyzing a commercial lease agreement in light of various alleged breaches against the client, assessing the potential merit of the allegations, and determining a response strategy.
- Summons against a co-owner in default of payment of co-ownership fees due, obtaining an enforceable judgment, implementing and pursuing a property seizure.
- Assisting with and negotiating a draft commercial lease, proposing amendments to the proposed contract, and discussing them.
- Analysis of the provisions of co-ownership regulations to determine the possibilities for splitting the property complex and implementing a plot division.

# OUR FIRM

LexCase was born from an entrepreneurial project: to create a multidisciplinary law firm, present in Paris, Lyon, and Marseille, and developing close partnerships with select foreign law firms.

Regional, national, and international, LexCase has chosen to anticipate the European Regions by focusing on client proximity while maintaining a commitment to excellence.

LexCase has more than 60 lawyers, including 15 partners specializing in various disciplines of corporate law.



Associations  
and foundations



Commercial  
litigation



Personal data



Insurance law



Construction  
law



Competition  
law



Cyber risk  
law



Health Law



Environmental and  
Energy Law



Urban planning  
and development  
law



Corporate Law  
/ Mergers and



Economic Law



Tax Law



Real estate law



Business  
criminal law



Public law



Mediation and  
arbitration



Social law



Companies in  
difficulty



Immigration



Intellectual  
property



Information technology  
and e-commerce

## TEAM & CONTACTS



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