BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

REAL ESTATE AND HOSPITALITY TRENDS – SPRING 2016

March 9, 2016

Looming Election Won't Take Shine Off of South Florida's Real Estate Market According to Berger Singerman Survey

A growing number of investment opportunities across the real estate industry, continued foreign investment in the South Florida market and sustained gains in the U.S. economy underline a sense of optimism among industry leaders looking toward 2016, according to a new survey released today by Berger Singerman, Florida's business law firm.

Read More

Whose Lien Has Priority — The Secured Lender (Mortgagee) or Homeowner Association? The Answer Is "It Depends"

By: Barry D. Lapides

Every state has a law regarding recording of liens, and recording statutes typically fall within one of three categories: (i) a race statute (e.g., the first to record the lien has priority); (ii) notice (e.g., these statutes typically protect a subsequent lienholder provided such lienholder does not have notice of the prior lien, whether through actual notice, by means of the public records, or otherwise); or (iii) race-notice statute (e.g., a prior lien is void against a later lien if the later lienholder was without notice of the prior lien and was the first to record the lien). Pursuant to Section 695.01, Fla. Stat., Florida is a notice state.

Read More

Recent Case Provides Wake-Up Call to the Lodging Industry: Potential Liability of Individual Managers and Related Entities Under FLSA

By: Frank Scruggs

A recent decision by the United States District Court for the Middle District of Florida alerts individual managers, companies operating lodging properties, and related entities to potential liability under the Fair Labor Standards Act ("FLSA"). The Court issued the decision in the case of Harry Partridge vs. Mosley Motel of St. Petersburg, Affordable Realty and Property Management, and Al Kadury, which involves circumstances that may dismay and surprise some employers in the hospitality industry (and employers, generally).

Read More

South Florida's Real Estate Market in 2016: What Local Real Estate Professionals Have to Say

By: Iryna Ivashchuk

At the end of 2015, Berger Singerman conducted a survey of about 100 developers, brokers, investors, lenders and contractors to help gauge the opinions of the local real estate professionals regarding the South Florida real estate market and trends. The 2016 South Florida Real Estate Outlook Survey results revealed that there is a positive outlook of the 2016 real estate market in South Florida: local real estate professionals expect the real estate market in South Florida to be at least as active in 2016 as it was in 2015.

Read More

Survey Says… Latin America Will Continue to Drive Foreign Investment in South Florida Real Estate in 2016

By: Katherine Amador

Even the briefest glance out of our office windows shows the dramatic change Miami has undergone since the devastating real estate bubble burst between 2007-2009. The last few years have seen robust – some might even say irrationally exuberant – commercial and residential real estate growth. In large part, this growth is attributable to the persistence of economic instability in Brazil and political instability in Venezuela and other Latin American countries. Although the Latin American landscape continues to change, we have some buenas noticias. The 2016 South Florida Real Estate Outlook Survey conducted by Berger Singerman indicates that Latin America will continue to drive the flight capital into South Florida real estate investments throughout 2016.

Read More

Ties That Bind: A Surety's Right to Require Arbitration of a Construction Dispute

By: Jeff Wertman

Florida law generally favors arbitration as a matter of public policy. Although traditional arbitration administered by the American Arbitration Association (AAA) is not always less expensive or time-consuming than litigation, given its flexibility and the use of a knowledgeable trier of fact, arbitration can be well-suited to resolve construction disputes. Sureties are playing a more prominent role in construction projects as governmental agencies and an increasing number of private project owners are requiring general contractors to obtain surety bonds before they commence work on construction projects.

Read More

Related Practices

Hospitality & Leisure

Real Estate