

PARTNER

# Paul C. Bauer

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## OVERVIEW

Paul Bauer, Practice Area Leader, Real Estate, Finance, and Corporate, is a lawyer representing businesses, individuals and institutions throughout Massachusetts in sophisticated transactions with an emphasis on big real estate projects and challenging commercial law issues. Paul regularly advises developers, mortgage lenders, tenants and property owners across various industry sectors in complex development, acquisition, financing, business planning and leasing transactions – both public and private – including the biggest lease in the history of Boston at the time.

Much of Paul’s real estate experience falls into three areas:

- Life science and medical school leasing for landlords and tenants. This includes comprehensive, campus-wide representations, as well as one-off projects.
- Higher education real estate development, often for major, iconic institutions. According to Paul, “I’ve also served as counsel to the Massachusetts School Building Authority.”
- Privately-held real estate projects, representing developers and owners, often family-owned. “I enjoy working with anyone who has or wants a large building,” Paul says.

Developers, investors and property end-users turn to Paul to plan, negotiate and structure real estate-based projects. He advises clients on multi-party, mixed-use and affordable housing projects. As Paul notes, “I also help a number of real estate companies in a variety of commercial sectors – including office, industrial and retail – in the sale, acquisition, financing, management and leasing of their real property investments.” In addition, he adds, “I also advise income property owners on related issues, including real property acquisitions and sales, property ownership structuring and estate planning for developer clients who hold complicated real estate assets.”

While Paul represents property end-users in most commercial segments, he has significant experience representing entrepreneurs and life science companies of all sizes with respect to their property leasing needs. Paul’s experience includes representing a life science company in one of the largest lease transactions ever to occur in the city of Boston. In addition, Paul represents a number of craft brewers and their brewery facilities. This representation includes leasing, financing and permitting services.

In addition, Paul represents privately-held companies for their structural, financing, and contractual needs. He often works with early-stage companies to provide them the counsel necessary to protect their interests in obtaining contracts,

investors and lending facilities. Paul is also a co-editor of the [Commercial Real Estate Insight & News](#) blog.

In the community, Paul is Chair of the Advisory Board for the Entrepreneurial Innovation Center at Framingham State University, where he advises the Center on its program helping entrepreneurs develop their ideas and small businesses.

## EXPERIENCE

### Meeting a major deadline and protecting a deposit

Paul represented a large, regional real estate management company in the acquisition of a shopping center in New England. The client made a \$1 million deposit as part of a bidding process and, if the deal didn't close by a certain date and time, the deposit was forfeited. "We put a member of our team on the site of the project – three states away – and jumped through a lot of hoops, with people fanning out and getting what we needed to close. Our team did whatever it took."

### Lots of coordination keeps a major public utility project on track

A utility company client had a proposed project in western Massachusetts, when Paul got a call one afternoon that there was a key public hearing on the project at 6pm that evening...two hours from his office Boston. He immediately deployed a lawyer to handle the filing that afternoon. "Meanwhile, I got stuck in Boston traffic on my way to the hearing," Paul explained. "So, one of our lawyers in Worcester said that he'd go since he was closer. I sent him talking points, the hearing went smoothly and the project moved forward."

## OTHER EXPERIENCE

Clients with real estate and other interests throughout Massachusetts and the U.S. rely on Paul's candor, loyalty, business acumen and whatever-it-takes-to-close attitude. Here's a brief list:

### Life Sciences

- Publicly-traded global pharmaceutical company with leases in Boston, London and San Diego (170,000 sq. ft., 10-year lease for a building in an office park)

### Housing Development

- Closing of Multi-Lender Financing, including Affordable Housing Tax Credits Related to a 42-Unit Affordable Housing Development Project

### Real Estate and General Corporate Transactions

- Equity management firm in the acquisition of membership interest in an out-of-state hotel
- Acquisition, sale and structuring related to Reverse 1031 Tax Deferred Exchange
- Large private nonprofit association in the development of its headquarters facility
- Hydroelectric company in restructuring a multi-use facility with a complex cross-easement agreement

### Higher Education

- UMass and its affiliates in a variety of real estate matters related primarily to its Worcester campus and adjacent life science buildings
- Affiliates of a public university in real estate transactions
- Private university in telecom and other technology agreements related to its campus

- Leasing transactions for another higher education institution
- Public entity for its higher education facilities – financing, development, construction and management activities – in coordination with a team of Bowditch attorneys

## AFFILIATIONS

### PROFESSIONAL/COMMUNITY

- Board Member, Government Affairs Committee, [Greater Boston Real Estate Board](#)
- Board Member, [MassEcon](#)
- Board Member, [Real Estate Finance Association](#)
- Member, [National Association of Industrial and Office Properties](#)
- Member, Real Estate Section, [Boston Bar Association](#)
- Member, [Real Estate Bar Association](#)

### PREVIOUS

- Director, [MetroWest Chamber of Commerce](#)
- Former Chair, Small Business Committee, [Greater Boston Chamber of Commerce](#)
- Member, [CoreNet Global](#)
- Member, [Urban Land Institute, Programs Committee](#)
- [Habitat for Humanity](#)
- [Lawyers Clearinghouse on Affordable Housing and Homelessness](#)
- [Zoning Board of Appeals, Town of Bedford, Massachusetts](#)
- Travel Basketball Coach and Program Coordinator

## ARTICLES & TALKS

### ARTICLES

- [“Op Funds Expand Deferral Paths for CRE Investors”](#), The Real Reporter, November 29, 2018
- [“Interpreting Termination for Convenience Clauses: A.L. Prime Energy Consultant, Inc. v. MBTA”](#), Bowditch & Dewey, May 7, 2018
- [“Challenges for CRE After Legal Marijuana Vote in MA”](#), The Real Reporter, November 30, 2016
- [“Say Hello to That Cleaner Water”](#), Banker & Tradesman, August 30, 2016
- [“Coworking Here to Stay, Warrants Close Scrutiny”](#), The Real Reporter, July 5, 2016
- [“A Legal Guide To The Use Of Drones In Real Estate”](#), Banker & Tradesman, September 29, 2015
- [“ViewPoint: Ideas for Fixing the MBTA That Don’t Include Gas Tax Won’t Get Off The Platform”](#), Boston Business Journal, March 6, 2015

## TALKS

- “Re-Opening Commercial Operations: Considerations for Property Owners and Business Tenants as Massachusetts Restarts in a COVID-19 World,” MassEcon webinar, May 7, 2020
- “Life Science Clusters: Seaport, South End & Beyond” panel moderator, Boston Life Science Summit, March 26, 2019
- Innovative Entrepreneurship or Entrepreneurial Innovation?, November 21, 2014
- Planning Regionally, Failing Parochially, November 17, 2014
- New Concerns for Real Estate Brokers and Attorneys in Making Representations, April 26, 2013
- Ambiguous Environmental Indemnification Fails to Protect Seller from Claims for Cleanup Costs, July 14, 2011
- Revisions to the Massachusetts Building Code, December 15, 2010
- Implications of the Permit Extension Act, November 11, 2010
- Renewable Energy Resource Integration Target of FERC’s Most Recent Notice of Inquiry (“NOI”), February 16, 2010
- Siting Wind Projects in Massachusetts, November 9, 2009
- State Department of Energy makes available funds for Renewable Energy Projects: Billions could be deployed, October 14, 2009
- New U.S. Department of Energy and Massachusetts Renewable Energy and Energy Efficiency Funding Opportunities, September 21, 2009
- Green Energy Law and Market Update, August 27, 2009
- Surviving the Storm: A Guide for Non-Profits, May 11, 2009
- Energy Tax Provisions Under Federal Law, April 27, 2009
- The American Recovery and Reinvestment Act and Renewable Energy, February 18, 2009
- Clean Technology Initiatives Update, January 16, 2009
- Boston University Certificate Program in Real Estate, Semiannual Guest Lecturer, 2004 – Present
- “Strategies and Structures to Reshape the Corporate Portfolio,” CoreNet Global New England Chapter Program, June 19, 2003
- “Commercial Real Estate Financing in Massachusetts,” Lorman Seminar, October 18, 2001
- “Structuring Ownership Entities,” Lender’s Underwriting Seminar, July 16, 2001
- “Real Estate Financing: Advanced Topics,” Boston Bar Association seminar (Program Chair), April 27, 2001
- “Real Estate Financing: Representing Lenders and Borrowers,” Boston Bar Association seminar (Program Chair), May 19, 2000

## BAR ADMISSIONS

- Massachusetts

## EDUCATION

- J.D., *with honors*, George Washington University

- B.A., *cum laude*, Clark University