David R. Brittain

Shareholder

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Overview

David Brittain joined the firm in 1982 and has been a Shareholder since 1987. His practice is focused on commercial, resort and residential development including complex condominium, mixed-use, and Planned Unit Development projects, transactions and finance, commercial real estate leasing, and the law of condominium and property owner associations. David's practice also includes construction contracting and administration, real property transactions and investments, including distress asset acquisitions and dispositions, commercial real estate lease negotiation and documentation, including leases with respect to office, retail shopping center, and stand-alone building projects, zoning, land use, and environmental due diligence and counseling, loan workouts, restructurings, and complex real estate litigation representation.

Representative Matters

- Represented numerous developers in Florida and the southeasternUnited States in connection with shopping center, office, and stand-alone projects, including related land development matters (such as off-site drainage, zoning and land use, environmental and permitting issues) and the negotiation and documentation of large-scale commercial facility leases.
- Represented owner/developers in numerous securitized transactions in which the collateral was shopping center or office properties.
- Acted as counsel to developer or lender in residential, mixed use, condominium, mobile home, and dockominium/rackominium projects, and in connection with such projects handled the negotiation and documentation of numerous construction and development agreements.
- Represented both sellers and buyers in numerous sales and/or financings of office, shopping center, hotel and motel properties, including construction loans for new facilities.
- Handled large scale investment acreage transactions throughout Florida for private investors and developers, for mining, timbering, development, and agricultural purposes.
- Represented numerous lenders in structuring acquisitions and dispositions of condominium units in bulk transactions throughout Florida, including counseling with respect to avoiding subsequent developer liability under the Florida Condominium Act.
- Rendered third party legal opinions to numerous lenders as borrower counsel in complex financing transactions involving real property.
- Represented a Tampa-based developer in site acquisition, financing, development and construction, as well as all project leasing, of a major retail shopping center at Dale Mabry Highway and I-275, including pad site and in-line store lease negotiations and documentation.
- Represented various REITs in acquisition of retail properties and shopping centers throughout Florida.

Honors and Distinctions

- Fellow of the American College of Real Estate Lawyers
- Florida Bar Board Certified in Real Estate Law
- AV Preeminent Peer Review Rated by Martindale-Hubbell

Practice Areas

- Hospitality
- Real Estate and Lending Transactions
- Construction

Education

- J.D., *with honors*, University of Florida Levin College of Law, 1982
- M.B.A., University of Florida Warrington School of Business, 1982
- B.A., *magna cum laude,* Furman University, 1978

Admissions

- Florida

- *The Best Lawyers in America,* Real Estate Law, 2005-2027
  - *Lawyer of the Year*, Real Estate Law, 2011, 2017
- *Chambers USA* Ranked, Real Estate, 2014-2020, 2022-2026
- *Florida Legal Elite*, 2006-2012, 2017
- *Florida Super Lawyers*, Real Estate, 2006-2026 (20+ year recognition)
  - Top 100: 2009 Florida Super Lawyers
- *Tampa Magazine'sTop Lawyers List,* 2020, 2024-2026

Professional Involvement

- The Florida Bar: Real Property, Probate & Trust Law Section, Executive Council Member
- Chair of the Real Property Finance and Lending Committee of the Real Property, Probate, and Trust Law Section of the Florida Bar
- Past Chair of the Legal Opinions Committee of the Real Property, Probate, and Trust Law Section of the Florida Bar
- Author of portions of the Report on Standards for Third-Party Legal Opinions of Florida Counsel issued by the Legal Opinion Standards Committee of the Business Law Section and the Legal Opinions Committee of the Real Property, Probate and Trust Law Section of The Florida Bar.

Thought Leadership

David has authored and lectured on numerous continuing education materials on real estate transactions, legal opinions in commercial transactions, development, commercial leasing, and finance for The Florida Bar, NBI, Strafford, and Lorman Seminars.

- "Advanced Real Property Certification Review Course," Speaker, The Florida Bar, April 2022
- "Real Estate Finance and Lending," Advanced Real Property Certification Review, The Florida Bar Real Property, Probate & Trust Law Section, April 2019
- 1st Annual Attorney Loan Officer Liaison Conference, The Florida Bar Real Property, Probate & Trust Law Section, 2017