

BRIAN S. LICHTER

WORK ADDRESS:

Davis Polk & Wardwell LLP
450 Lexington Ave
New York, NY
10017

HOME ADDRESS:

25 Murray Street, 5A
New York, NY
10007

DESCRIPTION OF CURRENT PRACTICE:

Brian is co-head of our Real Estate practice. He represents property owners, developers, funds, REITs and other financial institutions in a broad range of commercial real estate transactions. He concentrates on the acquisition, development and disposition of office, multifamily, single family rental portfolio, retail, hotel and data center properties; joint ventures; commercial mortgage, mezzanine and construction financings; preferred equity investments; and debt restructurings.

Brian's recent representations include:

Acquisitions:

- Strategic Value Partners and Lincoln Property Company's acquisition of The Bluffs at Playa Vista, CA from an affiliate of Minskoff
- Yellowstone Real Estate Investments acquisition of 1740 Broadway, Manhattan from an affiliate of Blackstone
- Cadre and institutional partner's acquisition of Harvest at Marmalade multifamily community in Salt Lake City
- RXR and SL Green acquisition of a 48.7% controlling interest in One Worldwide Plaza, Manhattan from an affiliate of New York REIT
- Andra AP-fonden (AP2) and Bouwinvest in their acquisitions of interests in a JV managed by Tishman Speyer to develop the Spiral trophy office tower in Hudson Yards

Dispositions:

- Cadre on its acquisition by Yieldstreet
- J.P. Morgan Investment Management on the sale of a 49.9% membership interest in 498 Seventh Avenue, Manhattan
- Cadre and Hudson Capital Properties sale of the 434-unit Hudson Ridge multifamily community in Atlanta
- Cadre in connection with the \$62.75 million sale of the Versailles Apartments, an apartment complex in Towson, MD
- SL Green sale of commercial condominium units in Williamsburg, Brooklyn, to an affiliate of Ethika Capital

Joint Ventures:

- Strategic Value Partners JV with Lincoln Property Company to acquire The Bluffs at Playa Vista, CA
- RXR JV for the acquisition of over 1,000 acres of vacant land in Apex, NC, the horizontal development of the infrastructure required to service the land, and the vertical development and sale of multifamily, single family housing and commercial assets
- Related Companies JV with Atria Real Property Investors to acquire, develop, redevelop, operate and manage luxury senior assisted living and related projects in major cities worldwide
- Midwood Investment & Development JV for the development of 200-204 South 12th Street, Philadelphia

Borrower Representations:

- RXR, SL Green and partners' \$1.7b mortgage, mezzanine debt and equity recapitalization of 5 Times Square
- RXR construction financing for the development of the mixed-use Hamilton Green project in White Plains, NY
- Meadow Partners, PGIM and Tribeca Investment Group's \$150m financing of 295 Fifth Avenue
- RXR mortgage loan financing for the properties commonly known as Harbor Landing at Garvies Point, in Glen Cove, NY
- Related Companies and Oxford Properties Group \$1.5b construction financing for the development of the Shops & Restaurants at Hudson Yards

Lender Representations:

- Blackstone on (i) its mortgage financing and preferred equity investment in an affiliate of RXR in connection with the acquisition of a luxury apartment building in Blue Bell, PA and (ii) its \$90.75m preferred equity investment in an affiliate of RXR in connection with the acquisition of six properties located in NJ and PA
- Citibank workout of a portfolio of mortgage loans made to affiliates of Ronald Perelman and, ultimately, a sale of the underlying promissory notes
- Acadia Realty Trust preferred investment in a JV with affiliates of Madison Capital and Meadow Partners to acquire a 49% interest in Liberty View Industrial Plaza, Brooklyn
- Mesa West Capital \$155m mortgage financing of an office park in Warren, NJ

<https://www.davispolk.com/lawyers/brian-lichter>

EDUCATIONAL BACKGROUND:

J.D., New York University School of Law
2002

B.A., Political Science, Emory University
1998

BAR MEMBERSHIPS AND DATES:

New York State Bar Association
2003

State Bar of California
2004

EMPLOYMENT HISTORY:

Co-head of Real Estate practice, Davis Polk & Wardwell LLP, 2015-Present

Partner, Davis Polk & Wardwell LLP, 2013-Present

Partner, Fried, Frank, Harris, Shriver & Jacobson LLP, 2011-2013

Associate, Fried, Frank, Harris, Shriver & Jacobson LLP, 2002-2011

SPEAKING ENGAGEMENTS:

NYPEN:

- Transforming Office Towers to Livable Communities on October 15, 2024 – Moderated panel on opportunities and challenges to residential conversion process, government tax incentive programs and construction considerations.
- Recent Trends in Preferred Equity on November 7, 2023 – Moderated panel on the preferred equity market, recommended transaction structures and current market deal terms for preferred equity investments.

Young Jewish Professionals:

- 2024 Deploying Capital in Real Estate program on June 26, 2024 – Moderated discussion with Jason Hart, Managing Director at The Carlyle Group
- Opportunities from Capital Dislocation in Real Estate on May 9, 2024 – Moderated discussion with Dan Neidich, CEO & Partner at Dune Real Estate Partners
- Conversation with Larry Silverstein on October 26, 2022 – Moderated conversation with Larry Silverstein, Chairman of Silverstein Properties
- Conversation with Scott Rechler on November 10, 2020 – Moderated conversation with Scott Rechler, CEO and Chairman of RXR

UJA-Federation of New York conversation with Larry Silverstein on January 11, 2023 – Moderated conversation with Larry Silverstein, Chairman of Silverstein Properties

IMN's Distressed CRE Forum on September 26, 2023 – Speaker on the panel regarding "Assessing Distressed Owner Options: Sell vs. Refi vs. Extend vs. Increase Equity vs. Giving Up Keys"

LEGAL PUBLICATIONS

[Leor Landa and Brian Lichter discuss real estate fundraising with Law360](#)

[Brian Lichter discusses CMBS market with Law360](#)

[Brian Lichter and Michael Rishty quoted in Law360 on the federal real estate agenda for 2023](#)

[Brian Lichter and Michael Rishty quoted in Law360 on real estate trends](#)

PROFESSIONAL RATINGS

Chambers USA – Real Estate: Mainly Dirt, New York

IFLR1000 – Real Estate, M&A, United States

Law360 – "Real Estate MVP of the Year" (2016), "Rising Star: Real Estate" (2012)

UJA-Federation of New York – Larry A. Silverstein REX Award, 2017

COMMUNITY SERVICE AND PRO BONO ACTIVITIES

He serves as a board member for Habitat for Humanity NYC and Westchester, as well as Jewish Community Relations Council of New York. Brian has also held numerous roles at UJA-Federation of New York, including as former board member and current member on its Real Estate Executive Committee. Brian is also a member of the Real Estate Board of New York and an associate trustee of the Washington Institute for Near East Policy.

ATTACHMENTS

[Brian S. Lichter | Davis Polk](#)

[Brian S. Lichter, USA | Chambers Profiles](#)

PERSONAL

Brian lives in New York City with his wife Blair and three children, Juliette, Vivienne and Andre.

* WRITTEN MATERIALS

- Preferred Equity in Real Estate Transactions (June 26, 2024)
- Real estate preferred equity investments: Structuring considerations (*Lexis Practical Guidance*, April 9, 2024)
- Five Things to Know About Joint Venture Agreements (November 2, 2021)
- Managing Distressed Mortgages and Real Estate Loans (March 10, 2021)
- Negotiating Letters of Intent: Focusing on Financing Term Sheets (September 16, 2016)