



# Heather Sunser

*Partner*

Syracuse

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## Education

- Syracuse University College of Law, *Magna Cum Laude*; *Syracuse Law & Technology Journal*, Executive Director, JD
- State University of New York at Oswego, MA
- State University of New York at Albany, BA

## Practices & Industries

- Cannabis
- Energy
- Financial Institutions & Lending
- Hotels, Hospitality & Food Service
- Property Tax & Condemnation
- Real Estate
- Tax Credits
- Telecommunications

## Admitted to Practice

- New York

## Biography

Heather is the firm's Tax Credits Team leader. She primarily concentrates her practice on real estate law, institutional lending, land use, and municipal compliance. She handles real estate acquisitions, sale transactions, and financing and serves as examining counsel for several title-insurance companies. Heather's financing experience includes representing lenders in commercial real estate transactions such as conventional mortgage, municipal-finance projects, and SBA 504 and 7(a) guaranteed-business, building, and construction loans.

Heather also represents commercial landlords and tenants, including local and national shopping-mall owners and office-building owners, in lease negotiations and summary eviction proceedings. In addition, she represents individuals and corporations, including national wireless-telecommunications providers, in negotiating leases, site acquisitions, due-diligence projects, and complying with local, federal, and state regulations.

Heather also represents religious corporations and not-for-profit developers in the acquisition, development, sale, and financing of commercial properties, including assisting religious and not-for-profit corporations in the application process for Attorney General and Supreme Court approval for transactions as required under NYS law.

Heather routinely provides support with eminent domain and condemnation matters involving fee acquisitions, easements, rights-of-way, and title-examination research. She's also well versed in CPS-7 exemption applications and all types of plan-amendment preparation for condominium and homeowners' association developers. In addition, Heather assists in civil litigation matters involving title-insurance claims, professional negligence, and commercial law as well as in matters relating to corporate-partnership formations and trusts and estates.

## Bar Associations

- New York State Bar Association
- Onondaga County Bar Association

## Representative Experience

- Represented a client in the purchase of an existing vacant facility, including the negotiation of financing with a commercial lender and industrial development agency.
- Represented an international client in the acquisition of real estate rights and the resolution of issues in connection with a settlement action.
- Closed a complex SBA 504 construction loan on behalf of the permanent lender with a simultaneous IDA deal that was a lease and leaseback transaction and a PILOT agreement with the municipality in which the property was located.
- Served as examining counsel in the issuance of title insurance for a \$24 million development of a university bookstore and retail facility with IDA straight lease and condominium development.
- Served as buyer's counsel in negotiating the purchase of an industrial facility, and served as title examining counsel in the issuance of title insurance for a \$21 million historic rehabilitation/development with a local IDA.
- Represented commercial building owners in negotiating and drafting retail and office leases and lease modifications with numerous national and local businesses.
- Managed a large-scale compliance project for a telecommunications client.
- Managed a large-scale, multistate leasing project for a national client.
- Negotiated multiple leases, lease extensions, and addendums for a large medical and corporate office park with large institutional tenants on behalf of the landlord.
- Represented a real estate developer in historic tax credits and new market tax credits historical-renovation development in Central New York.
- Represented a national company in the sale of real estate and fixtures at the former site as part of a charitable taxable deduction.
- Assisted with real estate leasing and property options for facilities, including production for CBD isolates.
- Assisted with an NY Department of Agriculture & Markets, Plant Industry Division application for authorization to process hemp on behalf of a wholly owned subsidiary.

- Negotiated a facility lease for a hemp processing manufacturer.
- Served as general outside counsel to a development company regarding the acquisition of a facility in Binghamton, New York, as well as financing the facility renovation through traditional construction financing and through the sale of federal and state historic tax credits and obtaining state and local assistance. Handled real property title issues, appropriate historic designations, and the negotiation of the master lease and other equity considerations to facilitate the financing.

## Prior Experience

- Hiscock & Barclay, LLP, Partner
- NY State Attorney General's Office Health Care Bureau, Law Clerk

## Selected Community Activities

- Oswego Health Foundation Board, Board Member
- Oswego County Child Advocacy Center, Board Member
- Onondaga County Bar Association Foundation, Board Member
- Habitat for Humanity, Volunteer Attorney
- Onondaga County Bar Association Volunteer Lawyers Project, Volunteer Attorney

## Selected Honors

- Selected to *Super Lawyers* Upstate New York Rising Stars: Real Estate, 2013-2014

## Selected Speaking Engagements

- Onondaga County Bar Association, "Representing a Client in a Residential Purchase or Sale"
- Onondaga County Bar Association Volunteer Lawyer Project, "Landlord Tenant Court Training"

## Selected Alerts & Blog Posts

- More Good News for Local Restaurants and Entertainment Establishments
- COVID-19: SBA Economic Injury Disaster Loan Program
- New York State's New Eviction Laws