

Andrew J. Perel

Partner

New York

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OVERVIEW

Andrew is a partner in the Environmental and Natural Resources Practice Group with vast experience in the real estate capital markets, financial services, real estate, insurance and reinsurance, and hospitality and travel industries. With nearly 40 years of experience, his practice encompasses all aspects of environmental law affecting corporate and real estate finance transactions, mergers and acquisitions, real estate development and redevelopment projects, environmental risk management and insurance, remediation of contaminated properties, Brownfield redevelopment, and environmental compliance and due diligence. Andrew also litigates complex environmental and environmental insurance coverage claims and disputes.

Andrew has extensive experience in environmental investigations and audits, the design and implementation of environmental compliance programs and systems, and evaluation of self-reporting and voluntary compliance strategies. He has successfully litigated — including trying jury and bench trials — before all levels of state and federal courts and represents clients before federal, state, and local regulatory agencies on remediation, Superfund, permitting, and Brownfield projects.

Andrew advises and counsels financial institutions, real estate developers, redevelopers, REITs, insurance companies, corporate entities, hotel and hospitality companies, and individual clients on a broad range of real estate, environmental regulatory and risk management, and assessment matters. He also represents financial institutions in real estate acquisitions, development, and financings, as well as in commercial and residential mortgage-backed securities transactions (CMBS and RMBS). Andrew also counsels on areas such as due diligence, negotiation, document drafting, and risk mitigation.

Andrew has represented many of the major financial institutions and life insurance companies in connection with securitizable and balance sheet lending for more than three decades. His experience includes serving as environmental coordinating counsel for large loan, conduit, and micro-loan programs for commercial mortgage-backed securitization. Andrew regularly counsels financial institutions on environmental matters as they relate to the due diligence, origination, closing, and securitization of loans. Additionally, he advises on risk management and mitigation associated with capital markets transactions for lenders and borrowers alike.

Andrew also represents banks and other financial institutions in connection with the negotiation and closing of commercial real estate transactions around the U.S. and globally. He has acted as outside general counsel to private equity groups in various corporate takeover endeavors (hostile and friendly) of hotels and casinos in Las Vegas and other locations. Andrew counsels and advises insurance companies on policy drafting, underwriting,

and subrogation matters.

Andrew is the former executive vice-president, general counsel, and secretary of a publicly traded real estate investment trust. Before that, he was outside counsel to major financial institutions regarding real estate and capital markets transactions with emphasis on origination, securitization, mergers and acquisitions, corporate finance, litigation, and insurance; providing due diligence, loss prevention, risk management, and regulatory studies for the purchase, sale, and financing of commercial real estate. He has also served as counsel to insurance and reinsurance companies prosecuting and defending declaratory judgment actions and has extensive experience in all aspects of general liability and environmental insurance coverage, defense, and subrogation matters. Andrew has key relationships with financial institutions, REITs, hotels, developers, redevelopers, insurance companies, and individuals in real estate transactions and financing. He is the former president of the Board of Directors for Trump Plaza Owners, Inc., formerly on the Advisory Boards for First American Title Insurance Company of New York and Lincoln Land Services (chair), was on the Board of Directors for Sports Angels, Inc., and is the former chairman of the Board of Directors for Manhattan Youth Baseball.

Andrew is very involved in his community. He was one of the founding members of the Grades to Play Program (GTP), a baseball program for inner city children. GTP offered disadvantaged middle school through high school students the opportunity to play baseball while participating in specially created tutoring programs. The goal being to help these students get accepted into better schools and to also facilitate a means to pay for these students' education. Dozens of students have attended prestigious private schools due to the work of the GTP. In 2009, Andrew took a group of student athletes to the Dominican Republic to compete in the International Little League World Series – upon winning the World Series, Mayor Bloomberg honored all of the participants with mayoral citations. In addition, for years, Andrew provided pro bono services to the National Multiple Sclerosis Society, handling a variety of litigation matters defending the rights of individuals with MS. In addition, Andrew worked with the Elmendorf Reformed Church in New York and the Harlem African Burial Ground Task Force in seeking formal city, state, and federal government recognition for an African burial ground that was discovered when construction commenced in the area. Andrew is currently president and an active Interior/Exterior/Hazmat Firefighter in his community in New York and is the Treasurer of the Suffolk County Volunteer Firefighters Emerald Society.

Andrew is a frequent author and lecturer on the topics of real estate structured finance and environmental law. He was the former editor of the *New Jersey Environmental Lawyer* newsletter and is on the Editorial Advisory Board of the *Environmental Claims Journal*.

AWARDS

- *Connect CRE*: Lawyers in Real Estate Award (2021)
- *Chambers USA*: Environmental: Mainly Transactional, New York (2022-2025)
- *Legal 500 United States* for Environment: Transactional (2021-2025)
- *Super Lawyers*: New York (2010, 2014-2021)
- Selected as a "Top Rated Lawyer" in the practice area of Litigation by the *New York Law Journal* and *Martindale-Hubbell*™ (2014)

TOP AREAS OF FOCUS

- Capital Markets
- Contaminated Sites + Waste Management
- Environmental + Natural Resources
- Environmental Due Diligence
- Real Estate

ALL AREAS OF FOCUS

- Capital Markets
- Chemicals, Pesticides + Product Regulation
- Contaminated Sites + Waste Management
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Litigation + Enforcement Defense
- Litigation + Trial
- Natural Resources
- Real Estate
- Release Reporting
- Renewable Energy
- Water Quality + Water Resources

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Vice-chair of Programs, Environmental Disclosure Committee; Section of Environment, Energy and Resources, American Bar Association (2022-present)
- Editorial Advisory Board, *Environmental Claims Journal* (2021-present)
- New York State Bar Association
- The Association of the Bar of the City of New York
- American Bar Association
- Environmental Bankers Association
- President of the New York Fire Department
- Treasurer of the Suffolk County Volunteer Firefighters Emerald Society

EDUCATION AND CERTIFICATIONS

EDUCATION

- Brooklyn Law School, J.D., 1986
- Brandeis University, B.A., 1983

BAR ADMISSIONS

- New York
- New Jersey
- Connecticut

COURT ADMISSIONS

- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- Supreme Court of the United States

- U.S. District Court, District of New Jersey

LANGUAGES

- Spanish (intermediate)

SPEAKING ENGAGEMENTS

- Moderator, "PFAS Litigation and Dispute Resolution Webinar Series: Evaluation and Mitigation of PFAS Risk," American Bar Association, November 9, 2023.
- Speaker, "Environmental Due Diligence in M&A Transactions: All Appropriate Inquiry, Bona Fide Purchaser Defense," Strafford Webinar, December 19, 2023.
- Co-presenter, "Real Estate Transactions in Current Economic Situation," Lorman Webinar, July 13, 2022.

PUBLICATIONS

- Co-author, "New York's New Spill Reporting Requirements and Potential Ramifications fo Environmental Due Diligence," *Environmental Law in New York*, Vol. 35, No. 4, April 2024.
- Co-author, "Environmental Liability in Commercial Real Estate and Lending Transactions—Recent Litigation, New Statutory Defenses," *Real Estate Law Journal*, Summer 2019.