

## Real Estate & Land Use

Drawing on our deep experience in real estate and land use, we handle disputes in those areas on behalf of a wide range of clients, from large, multi-national corporations to individual homeowners.

We work closely with our clients to understand their goals and to develop and implement legal strategies to achieve them. In many instances, our clients want to resolve the dispute without resort to litigation, and we are skilled in counseling clients on strategies for successful resolution without recourse to courts. However, when litigation is necessary, we have extensive experience and a successful track record representing clients in state and federal courts and before arbitration tribunals.

On the real estate side, we have handled disputes over title, easements, purchase and sale agreements, leases, options to purchase, rights of first refusal, construction, appraisals, neighbor boundary issues (adverse possession, trespass, and tree cutting/removal), environmental contamination, condemnation, inverse condemnation, regulatory compliance, tax, and many other types of matters.

In the area of construction defect litigation, our significant experience representing owners, developers, builders, architects and engineers enables us to help our clients navigate a path to resolution. We assist our clients with the claims process, pursuing or defending litigation related to defects, and obtaining the expert input necessary to resolve problems, whether cosmetic or related to health and safety.

We have tackled issues ranging from building envelope issues to foundation stability, in projects ranging from single family homes to large condominium developments. For example, we have defended one of the largest homebuilders in Washington against claims that water intrusion has adversely affected indoor air quality. We also represent one of the region's most prominent resorts in dealing with claims associated with the construction of a new swim and fitness facility.

With regard to land use litigation, HCMP has successfully litigated many of the significant Washington court cases involving the State Environmental Policy Act, the Shoreline Management Act, vested rights, subdivision regulation, regulatory takings, zoning, annexation, and standing to sue. For actions before local hearing examiners and state environmental hearings boards, or in court, HCMP pairs the substantial knowledge of its land use and environmental attorneys with the courtroom skills of its litigators.

### Representative Land Use Matters

- From a courtroom win to a major real estate sale, HCMP represented CalPortland Company involving the attempted condemnation of 230 acres of property on Puget Sound. After getting the condemnation action dismissed, HCMP successfully negotiated with Pierce County for the sale of the entire 600-acre parcel on terms favorable to the client.
  - In a seminal case on greenhouse gas emissions, HCMP defended Puget Sound Regional Council against a challenge to its 30-year Transportation Plan. All claims that PSRC did not adequately address climate changes statutes were dismissed. *Cascade Bicycle Club v. Puget Sound Regional Council*, 175 Wn.App. 494 (2013).
  - HCMP successfully defended Seattle's issuance of a master use permit for R.C. Hedreen Company's 1,000 room hotel proposal in the Denny Triangle before the Hearing Examiner and in a Land Use Petition Act appeal to King County Superior Court.
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HCMP's Land Use law practice has also been repeatedly ranked by [Chambers USA](#)<sup>®</sup> in the category of Real Estate: Zoning/Land Use, most recently for 2022.