



# Robert S. Freedman

SHAREHOLDER

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## Overview

Rob Freedman has represented developers, lenders, and purchasers of developments in Florida and other states for more than 25 years. He has extensive experience in the acquisition, structuring, design, development, and operation of residential and commercial condominiums, subdivisions, homeowners associations, community and master associations, master-planned communities, mixed-use projects, resort communities, and timeshares, fractionals, and vacation clubs. His experience includes obtaining regulatory approvals for the sale and marketing of projects, working on property management arrangements, preparing the various documents and instruments of record to ensure proper creation of a community and relationships between various parties and project components, and preparing documentation pertaining to various types of mixed-use projects and resorts.

He has extensive expertise with distressed real property assets in Florida, having represented lenders, receivers, successor developers, and bulk purchasers on transactional issues, due diligence, structuring to avoid developer liabilities (including use of Florida's Distressed Condominium Relief Act), state regulatory compliance, foreclosure strategies, acquisition through bankruptcy sales, and association and community operational issues. He also handles general real estate transactions and related matters.

Rob is the co-chair of the firm's Real Estate and Commercial Finance Practice and the Real Estate Industry Group. He is board certified in Condominium and Planned Development Law by The Florida Bar.

## Experience

- Rob has registered more than 290 residential condominium projects of virtually all types in Florida, and has developed numerous mixed-use, commercial and office condominiums, timeshare and fractional use regimes, subdivision projects, and master-planned communities and developments throughout Florida and other states.

- Rob has extensive experience in the design and operation of master-planned and resort communities, obtaining regulatory approvals for the sale and marketing of projects, working on property management arrangements, preparing the various documents and instruments of record needed to ensure the proper creation and operation of a residential community or commercial project, preparing documentation pertaining to various types of mixed-use projects and resorts. He advises clients on all matters that might arise prior to completing a community following its creation.

## All Insights

12.23.2019	Changes to Florida Notarization Statutes Effective January 1, 2020
08.01.2016	Prospectus, Purchase Contract and Ancillary Documents
08.01.2016	Timeshare Condominiums
11.24.2014	New Condominium Exemption To The Interstate Land Sales Full Disclosure Act
09.19.2014	Congress Exempts Condominiums from ILSA Registration
06.30.2014	2014 Legislative Changes Affecting Condominiums, Homeowners Associations, Cooperatives and Timeshares
05.14.2014	New Disclosures Required Regarding Subsurface Rights in Florida
09.26.2013	Congress Takes First Step Toward Exempting Condominiums from Registration Under ILSA
06.26.2013	2013 Legislative Changes Affecting Condominiums, Homeowners Associations, Cooperatives and Timeshares
03.18.2013	Condominium Development in a Brave, New World: Three Issues to Consider
01.08.2013	Checklist for Foreclosure or Deed-in-Lieu of Foreclosure Involving Subdivision and Condominium Properties
05.22.2012	Checklist for Community HOA Development
05.22.2012	Checklist for Condominium Development
04.09.2012	Governor Scott Signs Extension of Florida's Distressed Condominium Relief Act

- 01.31.2012 Issues to Consider for Foreclosure or Deed-in-Lieu of Foreclosure Involving Subdivision and Condominium Properties
- 
- 10.01.2011 Summary of the 2011 Florida Laws Impacting Condominiums, Homeowners Associations and Cooperatives
- 
- 08.09.2011 2011 Legislative Changes For Condominiums, Cooperative and Homeowners Associations
- 
- 08.01.2011 Prospectus, Purchase Contract and Ancillary Documents
- 
- 07.19.2011 2011 Florida Condominiums and Community Association Law Update
- 
- 06.02.2010 Governor Crist Enacts SB 1196: Distressed Condominium Relief Act
- 
- 06.01.2010 Community Association Legislative Update
- 
- 06.01.2009 Concerns for Lenders on Florida Condominium Projects: New Triggers for Turnover and Some Considerations on Successor Developer Liabilities
- 
- 12.07.2008 New Statutory Requirements Triggering Condominium Association Turnover
- 
- 09.01.2008 A Model Condominium Unit Rental Management Agreement
- 
- 06.30.2008 A Form Condominium Development Checklist
- 
- 05.04.2008 Timeshare Condominiums
- 
- 09.10.2007 The Condo Glut – A Survival Guide for Condominium Workouts
- 
- 02.15.2003 Prospectus, Purchase Contract and Ancillary Documents
- 
- 03.12.2001 To Deed or Not to Deed: That is the Timeshare Question

### **All News**

- 06.24.2019 Carlton Fields' Robert S. Freedman Elected Chair of The Florida Bar's Real Property, Probate & Trust Law Section
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- 05.23.2019 Carlton Fields Adds Two Lawyers to Growing Real Estate and Commercial Finance Practice

05.03.2019	Carlton Fields Ranks Among Best in Chambers USA 2019 Guide
02.01.2019	Media Shines Spotlight on Carlton Fields' New Office and Lawyers; Firm Opens New Jersey Office and Bolsters Real Estate and Insurance Litigation Practices
12.26.2018	Carlton Fields Expands Real Estate and Commercial Finance Practice
07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"
06.29.2018	Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2018 "Legal Elite"
06.26.2018	Three Carlton Fields Attorneys Board Certified in Condominium and Planned Development Law by The Florida Bar
06.25.2018	Carlton Fields Attorney Robert Freedman Honored with Project H.E.L.P. "Dedicated Service" Award
12.13.2017	Carlton Fields Adds Real Estate Group in Miami
08.31.2017	Carlton Fields Bolsters Its South Florida Real Estate and Commercial Finance Practice with Addition of Brian A. Hart
08.15.2017	78 Carlton Fields Attorneys Named "Best Lawyers in America"
06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"
06.21.2017	Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2017 "Legal Elite"
02.07.2017	Two Carlton Fields Attorneys Named "BTI Client Service All-Stars" for 2017

## Recognition

- Board Certified in Condominium and Planned Development Law by The Florida Bar
- AV Rated by Martindale-Hubbell
- Florida Super Lawyers, *Super Lawyers Magazine* (2007–2019)
- BTI "Client Service All-Star" (2017)

- Florida Legal Elite, *Florida Trend Magazine* (2005–2007, 2009, 2011–2012, 2014–2019)
- *Chambers USA*, Real Estate (2006–2017)
- *The Best Lawyers in America*, Real Estate Law (2008–2020)
- *Who's Who Legal Real Estate* (2010–2012)
- *The Legal 500*, Real Estate Transactions and Finance

## Professional & Community Involvement

- American Bar Association
  - Real Property, Trust, and Estate Law Section
    - Co-Chair, Committee on Groups and Substantive Committees (2016–present)
    - Supervisory Council (2012–2018)
    - Chair, Hospitality, Timesharing, and Common Interest Development Group (2010–2012)
    - Vice Chair, Hospitality, Timesharing, and Common Interest Development Group (2008–2010)
    - Chair, Timesharing and Interval Uses Committee (1998–2005)
    - Chair, Common Interest Ownership Development Committee (2005–2008)
    - Committee on Groups and Substantive Standing Committee (2009–present)
    - Technology Standing Committee (2006–2009)
    - Publications Standing Committee (2005–2006)
    - CLE Program Standing Committee (2005–present)
- The Florida Bar
  - Real Property, Probate, and Trust Law Section
    - Chair (2019–2020)
    - Chair-Elect (2018–2019)
    - Director, Real Property Division (2016–2018)
    - Treasurer (2015–2016)
    - Co-Chair, Legislative Review Committee (2014–2015)
    - Co-Chair, CLE Seminar Coordination Committee (2013–2014)
    - Chair, CLE Seminar Coordination Committee (2012–2013)
    - Vice Chair, Legislative Review Committee (2011–2012)
    - Chair, Condominium and Planned Development Committee (2007–2011)
    - Vice Chair, Condominium and Planned Development Committee (2002–2007)
    - Executive Council (2002–present)
  - Standing Committee on Continuing Legal Education (2012–2016)

- American College of Real Estate Lawyers
  - Fellow
  - Chair, Programs Committee (2010–2012)
- American Resort Development Association
- Clearwater Regional Chamber of Commerce
- Habitat for Humanity of Hillsborough County Inc.
  - Real Estate Development Committee (2015–present)
- Hillsborough County Bar Association
- State Legislative Committee
- The Downtown Corps of Tampa
  - Trustee (1992–1996)

## Speaking Engagements

- “What Not to Do as a Community Association Attorney: Ethical and Professional Duties and Responsibilities,” The Florida Bar Condominium and Planned Development Law Certification Review Course, Orlando, FL (February 23, 2019)
- “Time After Time: The Timeshare Industry Then and Now,” American College of Real Estate Lawyers Spring Meeting, Orlando, FL (March 23, 2018)
- “Ethical and Professional Responsibilities of Community Association Attorneys — Here’s What Not to Do!,” The Florida Bar Condominium and Planned Development Law Certification Review Course, Orlando, FL (February 10, 2018)
- “The Past, the Present and the Future: Community Deed Restrictions for Boomers, Millennials, Hipsters and Gen-Xrs,” 41st Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Boca Raton, FL (October 21, 2016)
- “Ethics and Conflicts in the Life Cycle of a Representation: The Beginning, the Middle, and the End,” ABA Real Property, Trust, and Estate Law Section (October 13, 2016)
- “Dealing With Ethical Conflicts Should Not Require Revolutionary Thought: Ensuring a United Front and Preventing Revolt,” ABA Real Property, Trust, and Estate Law Section Spring Symposium, Boston, MA (May 13, 2016)
- “Ethical and Professional Responsibilities of Community Association Attorneys— Worst Drafted Developer and Community Association Document Provisions and What Not to Do!,” 40th Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Boca Raton, FL (October 30, 2015)
- “There’s Nothin’ Illegal About Crossing the Border! Lessons in the Ethics of Multijurisdictional Practice,” 35th Annual Real Property, Probate, and Trust Law Legislative and Case Law Update, Palm Beach, FL (July 30, 2015)
- “Ethical Issues and Multijurisdictional Practice: The Good, the Not-So-Good, the Ugly, and the Stuff That Will Get You Into Trouble,” ABA Real Property, Trust, and Estate Law Section Spring Symposium, Washington, D.C. (April 30, 2015)
- “The Condominium Association Turnover — Current Issues Facing Both Association and Developer Counsel,” 39th Institute on Condominium and Cluster

Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Boca Raton, FL (October 24, 2014)

- "Have You 'Flagged' the Issues? The Ethical Duties of Counsel When Structuring and Developing a Branded Condominium Hotel," ABA Real Property, Trust, and Estate Law Section Spring Symposia, Chicago, IL (May 2, 2014)
- "Community Associations From the Good Guys' Perspective: The Developer's Viewpoint," 33rd Annual Real Property, Probate, and Trust Law Legislative and Case Law Update, Palm Beach, FL (July 26, 2013)
- "Ethical Dilemmas Resulting From the Distressed Community/Common Interest Development – Owner, Lender, Association, and Bulk Purchaser Perspective," 37th Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Miami, FL (October 26, 2012)
- "Hospitality, Timesharing, and Common Interest Developments Group: When Is It Better to Receive Than Give? The Use of Receiverships for Distressed Hotel and Common Interest Development Projects," ABA Real Property, Trust, and Estate Law Section Spring Symposium, New York, NY (May 3–4, 2012)
- "Condominium and Planning Development Law," The Florida Bar Real Property, Probate, and Trust Law Section, Tampa, FL (April 27, 2012)
- "The Ongoing Soap Opera in the World of ILSA," Condominium and Planning Development Law, The Florida Bar's Continuing Legal Education Committee and the Real Property, Probate, and Trust Law Section, Tampa, FL (April 27, 2012)
- "Partial Termination – Good Things Can Happen to Bad Projects," Condominium and Planning Development Law, The Florida Bar's Continuing Legal Education Committee and the Real Property, Probate, and Trust Law Section, Tampa, FL (April 27, 2012)
- "Bulk Sales and Purchasers of Distressed Condominium Units," ALI-ABA (October 19, 2011)
- "The Anatomy of a Community Association Turnover Meeting: Best Practices in Planning and Executing a Successful Transition of Control," ALI-ABA (October 19, 2011)
- "The Ethical Duties of Common Interest Communities Counsel in the Age of Economic Distress: Charting the Uncharted Waters and Avoiding the Rocks," ABA Real Property, Trust, and Estate Law Section Spring Symposium (April 29, 2011)
- "The (Partial) Termination of the Condominium and Other Assorted Condominium and HOA Morsels," 31st Annual Real Property, Probate, and Trust Law Legislative and Case Law Update , West Palm Beach, FL (August 5, 2011)
- "Ethical Dilemmas Confronting the Community Association Practitioner in the Successor Developer/Bulk Sales/Distressed Condominium Environment," 35th Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Fort Lauderdale, FL (October 22, 2010)
- "2010 Legislative Changes for Condominiums and Homeowners Associations – Important Aspects for Brokers, Agents, and Salespersons," Florida Realtors Association Annual Convention, Orlando, FL (August 27, 2010)
- "How Do You Spell Relief: The Distressed Condominium Relief Act," 30th Annual Real Property, Probate, and Trust Law Legislative and Case Law Update, Palm Beach, FL (August 6, 2010)
- "Distressed Assets and Workouts," Central Florida Real Estate Council Annual

Legislative Update, Orlando, FL (June 25, 2010)

- “Distressed Assets and Workouts in 2010,” ABA Real Property, Trust, and Estate Law Section Spring Symposium, Philadelphia, PA (May 7, 2010)
- “Annual Four-Sided Roundtable Discussion,” Current Issues in Condominium and Community Association Law: What All Practitioners Need to Know, Condominium and Planned Development Committee of The Florida Bar, Tampa, FL (April 16, 2010)
- “Developer Controlled Dysfunctional Associations,” Current Issues in Condominium and Community Association Law: What All Practitioners Need to Know, Condominium and Planned Development Committee of The Florida Bar, Tampa, FL (April 16, 2010)
- “Lessons Learned Through the Recession: The Far Reaching Impacts of Inadequate Drafting on Communities in Distress – Ethical Considerations,” 34th Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Fort Lauderdale, FL (October 16, 2009)
- “Condos and Planned Communities: Bulk Sale of Units, Homes & Lots in Today’s Shifting Economy,” ALI-ABA (January 13, 2009)
- “The Concept of Control of the Condominium Association for Developers, Lenders & Bulk Purchasers: Does It Really Matter?,” 33rd Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law, Fort Lauderdale, FL (October 17, 2008)
- “The New Age of Condominium Workouts - Perspectives From All Angles and the Tremendous Potential for Disaster,” ABA Real Property, Trust, and Estate Law Section Spring Symposium (May 1, 2008)
- “Condominium in a Condominium: Thinking Inside and Outside of the Box,” Current Issues in Community Association Law for Developers: What You Don’t Know May Hurt You!, Condominium and Planned Development Committee of The Florida Bar (April 11, 2008)
- “Distressed Condominium Projects: A Survival Guide in Uncertain Financial Times,” ALI-ABA (March 4, 2008)
- “Condominium Workouts - A Survival Guide,” ALI-ABA (January 2008)
- “The Ethical Duties of Developer’s Counsel: Duties, Pitfalls and Consequences,” 32nd Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law (November 1, 2007)
- “Alternative Structures for Mixed Hotel Condominiums,” ABA Real Property, Trust, and Estate Law/Taxation Joint Fall CLE Meeting, Vancouver (September 28, 2007)
- “Commercial Condominium Update – Drafting for Non-Residential Condominiums,” 31st Institute on Condominium and Cluster Development, University of Miami School of Law Ralph E. Boyer Institute on Condominium Law (October 19, 2006)

## Pro Bono

- Habitat for Humanity of Hillsborough County Inc.
  - Assisted in real estate transactional matters.



- Project H.E.L.P. Clinic, Metropolitan Ministries
  - Legal counseling and placement services for indigent and low-income families.
- Center for Affordable Housing
  - Development of an affordable housing townhome subdivision.

## Credentials

### EDUCATION

- Stetson University College of Law (J.D., 1990)
- Duke University (A.B., 1987)

### COURT ADMISSIONS

- Florida State Courts

### BAR ADMISSIONS

- Florida

### BOARD CERTIFICATIONS

- Condominium and Planned Development Law

## Areas of Focus

### PRACTICES

- Corporate Law and Governance
- Creditors' Rights and Bankruptcy
- Development
- Distressed Asset and Workout
- Hospitality
- Institutional Investment and Finance
- Title Insurance

### INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Real Estate