

REAL ESTATE LAW



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Our expertise extends across a range of practice areas and industry sectors where real estate is at the core of the transaction. We offer advice to help our clients capitalize on their opportunities, manage risk, and resolve disputes.

Our lawyers do more than keep pace with the evolving real estate market – we offer advice to help our clients capitalize on their opportunities, manage risk and resolve disputes.

Our clients rely on our understanding of the complexities of the market and transactional know-how to maximize value and assess the risks of their real estate projects. The practical advice we provide, based on our years of experience handling complex matters, assists our clients in making the informed legal and business decisions critical to their success.

Commercial deals move quickly and we work proactively with our clients to develop risk management strategies to avoid potential issues that can result in delays.

When contentious issues arise our goal is early resolution and the protection of our clients' property assets, reputation and ongoing business relationships. The knowledge we have gained from dealing with a broad spectrum of disputes assists us in identifying and executing the best strategy to achieve our clients' goals – whether pursuing or defending litigation or through alternate dispute resolution methods such as arbitration, mediation or negotiation.

We provide a broad range of legal services to financial institutions, real estate investment trusts (REITs), pension funds, hotels, utility companies, public sector and government entities, commercial property owners, investors, developers, commercial landlords and tenants, brokers, and other real estate professionals.

We leverage the experience and expertise of lawyers from across the firm to assist with the specific requirements of each client and unique situation.

SERVICES

- Acquisition and sale of commercial property.
- Risk management strategies.
- Contract disputes.
- Financing issues relating to commercial projects.
- Loan and security enforcement.
- Management and operating agreements.
- Purchase and sale agreements.
- Commercial lease disputes.
- Receiverships and property management issues.
- Development disputes.
- Expropriation, land use planning and development issues.

- Title disputes including easements, liens and ownership priorities.
- Environmental issues including contaminated sites and remediation.

RECOGNITIONS

19 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada®, 2019

Harper Grey receives highest firm ranking as a “Highly Recommended” local litigation law firm in British Columbia from Benchmark Canada® 2014, 2015, 2016, 2017, 2018, 2019

24 Harper Grey lawyers recognized across 15 specialty areas by Best Lawyers® in Canada, 2017

24 Harper Grey lawyers recognized as “Leading Practitioners” by Canadian Legal Expert Directory®, 2018

Harper Grey recognized as a "Leading Law Firm" regionally in the area of Dispute Resolution by Chambers Canada®, 2017

Martindale Hubbell® recognizes 13 Harper Grey lawyers across 27 practice areas

Harper Grey receives the TAGLaw Membership Award of Distinction acknowledging 15 years of outstanding service

Harper Grey recognized as a Top 10 Regional Firm in British Columbia, Alberta and the Territories by Canadian Lawyer Magazine, 2012 and 2014

COMMENTARIES

“Incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems.”

— *Benchmark Canada® 2019*

“These lawyers are all subject matter experts, and leader in their field, whose knowledge and skill are matched by their excellent client service.”

— *Benchmark Canada® 2019*

“This team has provided outstanding legal service. They are prompt, responsive, and communicative. They are strong strategists and provide well researched, experienced legal advice. We work with many firms, and Harper Grey stands out. One member of the team remembers every interaction, memo, pleading and document. They understand a very complicated file and address it with ease and candor. We very much appreciate their strong advocacy.”

— *Benchmark Canada® 2019*

“The firm is top notch. They have many lawyers specialized in medical defense work who are highly skilled in their legal acumen and practice management, but who also recognize the importance of carrying out their work in a practical, results-oriented manner. They actively look for ways to more efficiently partner with their clients for effective management of the work, while at the same time not weakening their excellent service delivery, their responsiveness, or their effectiveness in the work.”

— *Benchmark Canada® 2019*

“The firm’s lawyers are principled and have deep integrity. Their work is thorough and of consistent high quality.”

— *Benchmark Canada@ 2019*

“Excellent response time, good talent from junior and intermediate to senior levels and reasonable service costs.”

— *Benchmark Canada@ 2018*

“A lawyer who refers work to Harper Grey wrote it has ‘great service, a breadth of practice and I have never received a negative comment from referrals to the firm’.”

— *2014 Canadian Lawyer Magazine Stronger than Ever - Top Western & Northern Firms, September 1, 2014*

“A Vancouver staple, Harper Grey is perhaps the most BC-centric of the “highly recommended” firms, owing largely to the firm’s bench strength in several key areas.”

— *Benchmark Canada@ 2018*

“Bryan Baynham has a strong presence and remains active and upbeat. I always seem to have something going with him, confirms one peer.”

— *Benchmark Canada@ 2016*

“They exceeded all my expectations. I am very satisfied with their work and very happy to recommend them.”

— *Chambers Canada@ 2017*

“Recognition remains vibrant for firm figurehead Bryan Baynham. ‘Bryan has a strong presence and remains active and upbeat. I always seem to have something going with him,’ confirms one peer.”

— *Benchmark Canada@ 2016*

“Peers vouch for Bryan Baynham’s acumen, addressing him as “a worthy opponent, good on his feet, very skilled and seasoned.”

— *Benchmark Canada@ 2012*

“Harper Grey lawyers are ‘dedicated to their clients and focused on finding and implementing practical solutions for them. The lawyers are prompt, intelligent and insightful, and provide a high level of customer service’.”

— *2012 Canadian Lawyer Magazine Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

“Every day it seems like I am dealing with someone at Harper Grey, and I always find them professional, courteous and effective.”

— *Benchmark Canada@ 2017*

“Harper Grey has niches, and in those niches they are the best of the best.”

— *Benchmark Canada@ 2017*

“Harper Grey is one of the best firms in Vancouver. They have excellent service, knowledge and their cost structure is excellent.”

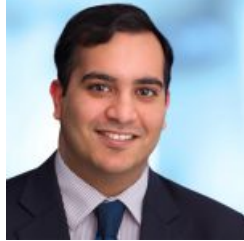
— *Benchmark Canada@ 2017*

“Harper Grey has a stellar pedigree as a litigation firm, and they’ve put a ton of people on the bench, observes one peer.”

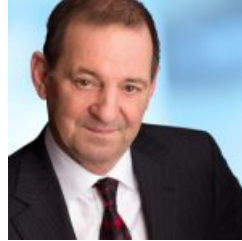
— *Benchmark Canada@ 2014*

“Clients are comforted by the firm’s long history in British Columbia. We’re steeped in the region. Our connection is such that we have knowledge of not only the issue itself, but the history of the issue in the province.” - Richard Bereti
— 2012 Canadian Lawyer Magazine Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012

LAWYERS



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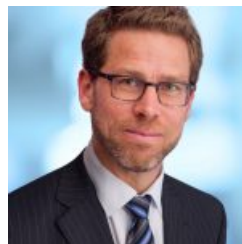
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PARALEGALS



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SELECT ARTICLES + PUBLICATIONS

Case Summary: An important outcome for residential landlords Article
 LandlordBC

Written by: Michael Drouillard

Michael Drouillard co-authors “The Law of the Ownership and Occupation of Manufactured Homes and Manufactured Home Parks in BC”

Written by: Michael Drouillard

“The Limits of Power” Article

Published In: BC Broker Magazine - Fall 2016

Written by: Owais Ahmed

“Triggering the Duty of a Tenant’s Insurer to Defend a Landlord” Article

Published In: Insurance People - Litigation Forum - Nov.16

Written by: Jennifer R. Woznesensky, Paul Saunders

“Affordability Challenges in Manufactured Home Communities” Article

Published In: Input Magazine - Summer 2016

Written by: Michael Drouillard

Harper Grey publishes Contemporary Canadian Insurance Law, a comprehensive casebook providing access to the case law and legal principles relevant to virtually all areas of insurance law in Canada

Published by: Harper Grey - 08.Jul.17

Written by: Aaron D. Atkinson, Cameron B. Elder, David W. Pilley, Emily M. Williamson, JoAnne Barnum, Jonathan D. Meadows*, Kim J. Yee, Kora Paciorek, Michael J. Robinson, Michael G. Thomas*, Nigel L. Trevethan*

“Nobody’s Home” Article

Published In: BC Broker Magazine - Jun.15

Written by: Nigel L. Trevethan*

“You’ve Been Sued! Understanding the Basic Legal Process of Small Claims and Supreme Court Lawsuits” Article

Published In: BC Broker Magazine - Feb.15

Written by: Nigel L. Trevethan*, Steven Abramson*

“Neely v MacDonald: Good News for the Enforcement of Indemnity Clauses” Article

Published In: Travel Law Quarterly - Dec.14

Written by: Aaron D. Atkinson

“Letters of Assurance Risks” Article

Published In: Construction Business - Nov/Dec.14

Written by: Cameron B. Elder

“Does the HCCRA apply to your claim?” Article

Published In: Insurance People - Litigation Forum - Nov.14

Written by: Jennifer R. Woznesensky, JoAnne Barnum

“Degrees of Loss – Things You’ve Always Wanted to Know About Economic Loss, But Were Afraid to Ask” Article

Published In: BC Broker Magazine - Aug.14

Written by: Steven Abramson*

“Cost Recovery under the EMA – J.I. Properties Inc. v. PPG Architectural Coatings Canada Inc.” Legal Case Study

Published In: BC Environmental Industry Association Newsletter - 16.Sep.14

Written by: Una Radoja*

“You’ve Been Sued! Understanding the Basic Legal Process of Small Claims and Supreme Court Lawsuits” Article

Published In: Mortgage Broker Magazine - Summer 2014

Written by: Nigel L. Trevethan*, Steven Abramson*

“Enforcing Money Judgments Across the United States-Canada Border” Article

Published In: Washington State Bar Association - Creditor-Debtor Rights Newsletter - Sep.14

Written by: John P. Sullivan*, Sean T. Foote

“Woo v. Onni Ioco Road Five Development Limited Partnership” Counsel Comment

Published In: BC Take Five Newsletter - Apr.14

“Residential Real Estate Case Law Update” Paper

Published By: Harper Grey - 12.Dec.12

Written by: Bryan G. Baynham, QC

“299 Burrard Residential Partnership Limited v. Essalat” Counsel Comment

Published In: Take Five Newsletter - Aug.12

Written by: Bryan G. Baynham, QC

“BC’s Real Estate Development Marketing Act” Paper

Published By: Harper Grey - 19.May.10

Written by: Bryan G. Baynham, QC, Daniel J. Reid

SELECT EVENTS + PRESENTATIONS

Michael Drouillard to present “The law of the ownership and operation of manufactured home parks in British Columbia” paper

Presented by: Michael Drouillard

Michael Drouillard to co-present Manufactured Homes webinar

Presentation date: 22.Nov.18

Presented by: Michael Drouillard

Michael Drouillard and Sandra Abley to attend 2018 Manufactured Home Park Owners Alliance of British Columbia AGM

Presentation date: 21.Sept.18

Presented by: Michael Drouillard, Sandra Abley, JD, CFP®, TEP

Michael Drouillard to sit on panel at Vancouver Real Estate Strategy & Leasing Conference

Presentation date: 01.Nov.18

Presented by: Michael Drouillard

Michael Drouillard and Sandra Abley to present at the 2017 Manufactured Home Park Owners of British Columbia AGM

Presentation Date: 23.Sep.17

Presented by: Sandra Abley, JD, CFP®, TEP, Michael Drouillard

Harper Grey hosts annual Insurance Law Seminar – “We Love Vancouver”

Event Date: 29.May.15

Presented by: Aaron D. Atkinson, Emily M. Williamson, Jennifer R. Woznesensky, Jonathan D. Meadows*, Kora Paciorek, Nigel L. Trevethan*

Jeremy Shragge to present at upcoming Social Justice Section Meeting

Presentation Date: 13.May.15

Una Radoja to present at the Canadian Bar Association’s Real Property – Vancouver Section Meeting

Presentation Date: 7.May.15

Presented by: Una Radoja*

Una Radoja to present at BCEIA’s BEST 2015 Conference in Whistler

Presentation Date: 20.May.15

Presented by: Una Radoja*

Una Radoja to present at the PBLI 2015 Commercial Leasing Conference

Presentation Date: 09.Apr.15

Presented by: Una Radoja*

Nigel Trevethan to present at IBABC Understanding Hoarders Seminar

Presentation Date: 04.Feb.15

Presented by: Nigel L. Trevethan*

Una Radoja will present at SMART Remediation Vancouver 2015 on the topic of cost recovery under the Environmental Management Act

Presentation Date: 27.Jan.15

Presented by: Una Radoja*

Nigel Trevethan and Aaron Atkinson to co-present at the CAHPI National Conference in Banff, AB

Presentation Date: 04.Oct.14

Presented by: Aaron D. Atkinson, Nigel L. Trevethan*

Nigel Trevethan and Steven Abramson will present at MBABC Anti-Spam/Litigation Issues education session

Presentation Date: 25.Jun.14

Presented by: Nigel L. Trevethan*, Steven Abramson*

Nigel Trevethan and Steven Abramson to present at MBABC "Sidney Spit" Event

Presentation Date: 12.Jun.14

Presented by: Nigel L. Trevethan*, Steven Abramson*

Harper Grey hosts annual Insurance Law Seminar – "Summer Fun...And What Potentially Can Go Wrong"

Event Date: 23.May.14

Presented by: Aaron D. Atkinson, Jennifer R. Woznesensky, Kara L. Hill, Nigel L. Trevethan*, Steven Abramson*, W. Sean Taylor

John Sullivan to present at CLE session "Motions To Strike 2014"

Presentation Date: 25.Apr.14

Presented by: John P. Sullivan*

Kim Fenwick and Una Radoja to present "What Every Lawyer Needs To Know About Dealing with Contaminated Land in BC" at CBA Meeting

Presentation Date: 28.Mar.14

Presented by: Una Radoja*

Cameron Elder to present at BCRIMA Member Luncheon

Presentation Date: 19.Feb.14

Presented by: Cameron B. Elder

Bryan Baynham, QC presents to The Society of Notaries Public of BC Regarding Pre-Sale Condo Contracts

Presentation Date: 10.Apr.10

Presented by: Bryan G. Baynham, QC

Harper Grey partner Bryan Baynham, QC to present at Residential Real Estate Conference 2009

Presentation Date: 03.Dec.09

Presented by: Bryan G. Baynham, QC

SELECT NEWS

Michael Drouillard exclusive "Serial Scammers: Rental Edition" interview for CKNW 980 Radio Program

Related to: Michael Drouillard - 02.Jul.19

Michael Drouillard Contributes to Real Estate Agent Pre-Licensing Course Manual
Related to: Michael Drouillard - 17.Jun.19

Michael Drouillard quoted in The Star Vancouver
Related to: Michael Drouillard - 12.Apr.19

Michael Drouillard quoted in Business in Vancouver article regarding office real estate market slowly adapting to cannabis culture
Related to: Michael Drouillard - 20.Nov.18

Michael Drouillard interviewed by Global News BC for “Burnaby Church Evicts Daycare” segment
Related to: Michael Drouillard - 06.Jun.18

Michael Drouillard available to answer your questions at 2018 MHPOABC Spring Conference
Related to: Michael Drouillard - 04.Apr.18

Michael Drouillard quoted in Tax Talk article
Related to: Michael Drouillard - 29.Mar.18

In recent case of Wilke v. Jeong B.C. judge orders homebuyer who balked at foreign buyer tax to give up \$180,000 deposit
Related to: Bryan G. Baynham, QC - 27.Nov.17

Harper Grey Associate, Michael Drouillard, interviewed by Global TV News for Rent-to-Own Concerns
Related to: Michael Drouillard - 20.Nov.17

Michael Drouillard and Sandra Abley to present at the 2017 Manufactured Home Park Owners Alliance of British Columbia AGM
Related to: Michael Drouillard, Sandra Abley, JD, CFP®, TEP - 18.Sep.17

Michael Drouillard quoted in Tax Talk article
Published in: Mansion Global - 8.Jun.17
Related to: Michael Drouillard - 08.Jun.17

Harper Grey sponsors Vancouver Real Estate Forum
Related to: Prentice Durbin*, Steven G. Lukas*, Salman Y. Bhura*, Michael Drouillard - 13.Mar.17

Steven Abramson and Cameron Elder join Harper Grey partnership
Related to: Cameron B. Elder, Steven Abramson* - 02.Feb.17

Martindale-Hubbell® recognizes 14 Harper Grey lawyers
Related to: Bryan G. Baynham, QC, John B. Brown*, Guy P. Brown, QC*, Karen F. Douglas*, Steven G. Lukas*, Maureen L.A. Lundell, QC, William D. MacRae*, L. Neil Matheson, QC*, Barbara J. Norell, QC, David W. Pilley, Terrence L. Robertson, QC, Abigail C.F. Turner*, Henning W. Wiebach* - 30.Jan.17

Julie Gibson elected to the Board of Directors for the BC Council of Administrative Tribunals
Related to: Julie K. Gibson - 22.Nov.16

Michael Drouillard quoted in Squamish Chief article addressing issues impacting trailer park homeowners

Published in: Squamish Chief - 22.Sep.16

Related to: Michael Drouillard - 26.Sep.16

Michael Drouillard appointed as Director to LandlordBC Board

Related to: Michael Drouillard - 20.Jul.16

Michael Drouillard to cover Harper Grey booth at 2016 MHPOABC Spring Conference

Related to: Michael Drouillard - 10.May.16

Michael Drouillard available to answer your questions at 2015 MHPOABC AGM

Related to: Michael Drouillard - 30.Sep.15

Roselle Wu appointed Chair of the CBABC Wills and Trusts Section

Related to: Roselle P. Wu - 01.Sep.15

Harper Grey's Insurance Group welcomes Associate Raylene Smith

Related to: Raylene Smith - 10.Jul.15

Harper Grey recognized again as a "Leading Firm" by 2015 Canadian Legal Lexpert® Directory

24.Jun.15

Adam Way joins Harper Grey's Environmental, Commercial and Construction Groups

Related to: Adam R. Way - 10.Jun.15

Harper Grey welcomes Associate Nathaniel Turner

Related to: Nathaniel J.W. Turner - 09.Jun.15

Harper Grey to host CBA Environmental Law Section meeting providing a "Key Update On Cost Recovery Actions: J.I. Properties Inc. v. PPG Architectural Coatings Canada Inc."

Related to: Una Radoja* - 10.Sep.14

Siobhan Sams joins Harper Grey's Commercial Litigation Group

Related to: Siobhan H. Sams - 27.Jan.14

Richard Bereti appointed Quickscribe's Environmental Law Legal Annotator

Related to: Richard E. Bereti* - 27.Jan.14

Salman Bhura appointed as Harper Grey's Real Estate Law Group Chair

Related to: Salman Y. Bhura* - 14.Jan.14

Bryan Baynham, QC featured in CBC News Top Story regarding recent condo pre-sale ruling

Related to: Bryan G. Baynham, QC - 19.Jun.13

Daniel Reid quoted in Vancouver Sun article relating to BC Supreme Court order to Zoocasa to pay \$32,000 to Real Estate Agents

Related to: Daniel J. Reid - 13.Sep.11

SELECT NEWSLETTERS + UPDATES

A Landlord's Guide to Leasing Space to Non-Medical Cannabis Retail Tenants

Published in: Real Estate Law Update: 29.Oct.18

Written by: Michael Drouillard