



Joseph S. Lieber

Partner

he/him/his

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Overview

My legal practice is all about closing deals. I find it immensely satisfying to get the job done so the client can go ahead and build the actual project. I get to see the tangible results of my work – affordable rental and homeownership housing – on an everyday basis, as many of my projects are in the various neighborhoods near my home. I feel good about what I do because I am helping to provide critically needed housing for real people.

Representing developers in affordable housing and other community development projects, Joseph Lieber centers his practice on structuring and closing complex multi-phased financing transactions. He brings extensive experience in incorporating various funding mechanisms into deals, including Low-Income Housing Tax Credits (LIHTC), New Market Tax Credits (NMTC), and a variety of other federal, state and local programs.

Joe primarily advises nonprofit organizations and small-scale mission-oriented for-profit developers, and he occasionally represents commercial lenders, municipalities and regional HOME consortia. Many of his projects involve complex multi-phased joint ventures between or among multiple developers and organizations. His practice is Boston-centered, and he draws on a full understanding of that city's permitting landscape, including Article 80, MGL Chapter 121A, zoning, and various kinds of agency processes, including BWSC, MBTA and PIC.

In addition to his deep knowledge of and extensive experience in deal structuring and closing, Joe incorporates his familiarity with real estate matters into his work. His experience includes purchase and sale transactions, such as the acquisition of property from public sources through land disposition processes, as well as zoning and permitting, conveyancing, and contracting for design and construction services. Joe likes to become familiar with each property he works with so he can help analyze and resolve any conflicts that may arise over competing interests and issues, such as shared access, encroaching structures, challenging topography, murky boundary lines and the like.

With a sharp ability to recognize and address key challenges—including the ever-present budgetary pressures—facing clients and other parties involved in his deals, Joe adeptly moves projects along. Working with speed and efficiency, he diligently crafts and implements strategies that save the client time and money.

“ My feet is tired but my soul is rested.
– *Mother Pollard*

Experience

- Over the course of more than a decade, has represented multiple partnerships of community development corporations (CDCs) and small for-profit developers in connection with the comprehensive redevelopment of multiple sites in the Jackson Square neighborhood in Boston (Jamaica Plain and Roxbury), including representation relating to infrastructure development and master planning, acquisition of project sites from the BPDA, MBTA, MassDOT, DCAMM, BHA and other public agencies, negotiation of complex land use agreements with public agencies, zoning of the individual development projects, and structuring and closing of financing for individual development projects involving mixed commercial and residential uses, utilizing a variety of tax credits and other local, state and federal funding sources.
- Represented joint venture of for-profit developer and local CDC in connection with all aspects of structuring the multi-phased redevelopment and adaptive reuse of a former Roman Catholic Archdiocese campus in Jamaica Plain, utilizing New Markets Tax Credits, Low-Income Housing Tax Credits, Section 1602 Exchange Funds, TCAP Funds and other financing sources within a complex multi-tiered condominium structure.
- Represented Boston (Jamaica Plain) CDC in connection with structuring the joint venture redevelopment of former nursing home as a facility that addresses two separate needs of homeless persons – the delivery of medical services and the provision of rental housing.
- Represented for-profit developer of artist housing in connection with the acquisition from the Boston Redevelopment Authority of a historic building in the South End of Boston and several surrounding vacant parcels, and the construction on the combined site of a three-building, 55-unit mixed-income, mixed-use condominium project with roughly 50% affordable “artist live/work” units, artist rental studios and a street-level art gallery space.
- Represented Dorchester CDC in the New Markets Tax Credit-financed redevelopment of a former industrial site in Boston’s Dorchester neighborhood as a 36,000 square foot shared-use commercial kitchen and multi-tenant food production small business center. Among the various sources leveraged through the NMTC structure were City of Boston Section 108 funds, Choice Neighborhoods funds, a Massworks grant and various Federal and State grant funds.
- Represented private college in the New Markets Tax Credit-financed development of a new state-of-the-art Center for Natural and Health Sciences on its Chicopee, Massachusetts campus. We were able to repurpose an existing 501(c)(3) affiliate of the College to serve as QALICB and owner of the project through a master lease structure. The College served as leverage lender, using MassDevelopment bond funds and capital campaign proceeds to fund the leverage loan.

- Represented leading Lowell, MA nonprofit CDC in connection with approximately half a dozen Low-Income Housing Tax Credit projects over the course of the past decade.
- Represented a Boston-based bank in connection with numerous loans – including various types of construction, permanent and/or bridge financing, as well as tax-exempt bond-financed loans – for the renovation and new construction of affordable housing (rental and homeownership), transitional housing facilities, and cohousing projects located throughout the Greater Boston area.
- Represented several Massachusetts municipalities and regional HOME consortia in connection with HOME funding to developers of affordable housing and the negotiation of intercreditor arrangements with other project funders.
- Over past fifteen years, represented partnership of for-profit developer and Boston CDC in connection with seven housing phases (and counting), including both rental and homeownership, in a multi-phased redevelopment of a large former state hospital site in Boston (Mattapan), MA.

My Team



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Involvement and Recognition

Professional Affiliations

- American Bar Association, *Member* (2002-present)
- Massachusetts Real Estate Bar Association, *Member* (2006-present)

Community Affiliations

- Jamaica Plain Children's Soccer, Jamaica Plain Youth Soccer and Massachusetts Futsal Association, Volunteer Soccer Coach and Manager (scattered years)
- Jamaica Plain Regan Youth League, Volunteer Baseball Coach (scattered years) and Board Member (2005-present)
- West Roxbury Community Center, Volunteer Basketball Coach (scattered years)
- Curtis Hall Basketball League (Jamaica Plain), Volunteer Basketball Coach (scattered years) (2015)

Credentials

- University of Michigan Law School, J.D., *magna cum laude*
- University of Michigan, B.A., *Class Honors*

Admissions

- Massachusetts

Related Services

- Affordable Housing
- Affordable Housing Development
- Community Development
- New Markets Tax Credits
- Mixed-Use
- Low Income Housing Tax Credits