



Karl Geier

Shareholder



📍 Walnut Creek, CA
📞 925.935.9400
✉ karl.geier@msrlegal.com

PRACTICE AREAS

The Book

Commercial and Residential
Development

Acquisitions and Dispositions

Land Use--Entitlement

Real Estate Finance

In his long career as a shareholder, Karl has advised and represented real estate developers, governmental entities, and financial institutions in a wide range of projects and transactions. He is now the Editor-in-Chief and a principal author of Miller Starr Regalia's treatise *Miller & Starr, California Real Estate 4th*, and the related periodical, *Miller & Starr, California Real Estate Newsalert*.

Karl E. Geier is a shareholder in Miller Starr Regalia's Walnut Creek office. For more than forty-five years, his practice has focused on all aspects of complex real estate transactions, land development, and financing. He counsels and represents developers, financial institutions, public entities, significant operating companies, and investors in a wide variety of matters associated with the acquisition, development, construction, marketing, and disposition of substantial residential, commercial, and industrial projects, including land use and zoning matters.

A substantial portion of Karl's practice involves the representation of banks and other institutional lenders in construction and permanent financing, including loan documentation, negotiation and workouts, consultation on lending practices and regulations, and foreclosure and enforcement of remedies against borrowers and guarantors.

For the past fifteen years, Karl also has been the Editor-in-Chief and a principal author of the firm's twelve-volume treatise, *Miller & Starr, California Real Estate 4th*, and the related periodical, *Miller & Starr, California Real Estate Newsalert*, both published by Thomson-West.

His land use work includes the representation of developers in planning, zoning, and subdivision processes. He regularly consults on land use and CEQA litigation, foreclosure and related creditors remedies, and other real estate-related litigation and has been engaged as an expert witness in a variety of real property and related disputes.

EDUCATION

J.D., University of California, Berkeley Boalt Hall School of Law (1978)

- Managing Editor, *Ecology Law Quarterly*

A.B., Political Science, *summa cum laude*, University of California, Los Angeles (1975)



ASSOCIATIONS

American Bar Association – Real Property, Probate and Trust Law and the Business Law Sections

California Bankers Association

East Bay Leadership Council – Board of Directors

State Bar of California – Real Estate and Business Law Sections

AWARDS & RECOGNITION

Martindale-Hubbell – AV Preeminent Rated (1995 – 2023)

Super Lawyers Northern California (2006 – 2024)

Best Lawyers® – Banking and Finance Law (2009 – 2023)

PUBLICATIONS

THE BOOK: *Miller & Starr, California Real Estate*

Editor-in-Chief of *Miller & Starr, California Real Estate 3rd*, 2008 – 2014

Editor-in-Chief of *Miller & Starr, California Real Estate 4th*, 2015 - present

Author or Co-Author of *Miller & Starr, California Real Estate 4th* chapters:

- Chapter 1. Contract Law Applicable to Real Estate Transactions
- Chapter 2. Specific Contract Provisions and Disclosure Requirements
- Chapter 3. Agency and Broker Liability
- Chapter 4. Regulation and Licensing of Real Estate Professionals and Appraisers
- Chapter 5. Real Estate Brokers' Contracts and Compensation
- Chapter 7. Title Insurance
- Chapter 8. Deeds and Descriptions
- Chapter 9. Transferable Property Interests; Fixtures
- Chapter 10. Recording and Priorities
- Chapter 12. Estates; Restraints; Perpetuities
- Chapter 13. Deeds of Trust and Mortgages
- Chapter 14. Guarantors and Sureties in Real Property Secured Transactions
- Chapter 16. Covenants, Equitable Servitudes, and Other Restrictions
- Chapter 21. Land Use, Planning and Zoning Regulation
- Chapter 22. Dedication
- Chapter 25. Building Codes, Permits, and Enforcement
- Chapter 27. Mobilehomes, Manufactured Housing and Mobilehome Parks



- Chapter 28. Common Interest Developments
- Chapter 29. Subdivision Offerings, Sales, and Leasing
- Chapter 34. Landlord and Tenant
- Chapter 35. Lenders' Liability
- Chapter 36. Regulation of Residential Mortgage Loan Origination and Servicing
- Chapter 37. The Law of Usury
- Chapter 43. Homesteads and the Automatic Residential Exemption

Periodicals

"Losing Ground: The Perils and Pitfalls of the Lis Pendens in Connection with an Arbitration Proceeding," *Miller & Starr, California Newsalert*, Volume 34, Number 4, March 2024

"Higher Rate Redux: Recalling the Legal History of 'Transfers Subject to,' Wrap-Around Mortgages, Assumable Loans, and the Due-on-Sale Clause in a New Era of Rising Interest Rates," *Miller & Starr, California Newsalert*, Volume 34, Number 2, November 2023

"A New Class of Redemptioners: The Enhanced Position of Tenants, Prospective Owner Occupants, And Nonprofit Or Governmental Entities In Residential Foreclosures." *Miller & Starr, California Newsalert*, Volume 33, Number 5, May 2023

"Strict Compliance with Statutory Conditions: Another Challenge for California Landlords in the Eviction Process," *Miller & Starr, California Newsalert*, Volume 33, Number 3, January 2023

"No Relief for the Inn: Business Income Losses Due to Government's COVID-19 Shutdown Orders Are Not "Physically Caused" by COVID-19 So Not Covered by Standard Commercial Property Insurance," *Miller & Starr, California Real Estate Newsalert*, January 2022

"The New Provisions for Multiple-Unit Housing in Single Family Zones: The "End of Single Family Housing" or Just Another Minimally Effective But Overcomplicated Effort To Address the Deficit of Affordable Housing in California?" *Miller & Starr, California Real Estate Newsalert*, November 2021

"Keep Out and Stay Out: The Cedar Point Decision and the Landowner's Sine Qua Non Right to Exclude Others (Maybe Sometimes Even a Government Official)," *Miller & Starr, California Real Estate Newsalert*, Volume 32, No. 1, September 2021

"Senate Bill 7: A "Streamlined" CEQA Process for Housing Projects or Just Another Regulatory Wrinkle?" *Miller & Starr, California Real Estate Newsalert*, July 2021

"The CDC's National Covid-19 Eviction Moratorium And Its Effects On California Landlords And Tenants," *Miller & Starr, California Real Estate Newsalert*, May 2021

"Just Compensation Or Just More Complications? The New Covid-19 Relief Bill (Sb 91) And Its Implications For Residential Landlords And Their Tenants," *Miller & Starr, California Real Estate Newsalert*, March 2021



"No Limitations And No Escape: The Long Tail Of Real Property Tax Liability Resulting From Entity Interest Transfers In California," *Miller & Starr, California Real Estate Newsalert*, December 2020

"A Whole New Ballgame: What The Housing Crisis Act Of 2019 (Sb 330) Means For Housing Developers, Local Governments, And Go-Slow Opposition To New Residential Development Projects In California," *Miller & Starr, California Real Estate Newsalert*, September 2020

"After Taniguchi: The Future Of Upset Clauses In Workout Transactions," *Miller & Starr, California Real Estate Newsalert*, Volume 30, No. 4, March 2020

"California's New Statewide "Just Cause Eviction" And "Anti-Rent Gouging" Law," *Miller & Starr, California Real Estate Newsalert*, January 2020

"Under *Black Sky*: What Defenses Remain Against the Holder of a Junior Deed of Trust Who First Forecloses Its Own Senior Deed of Trust?" *Miller & Starr, California Real Estate Newsalert*, July 2019

"Obfuscation Masquerading As Legislation: Confusion Rules In California's Residential Disclosure And Tenant Abandonment Statutes," *Miller & Starr, California Real Estate Newsalert*, May 2019

"Not So Fast, Counselor: When Attorney's Fees May Be Recovered In Connection With A Real Property Secured Debt," *Miller & Starr, California Real Estate Newsalert*, November 2018

"More of Something: The California Legislature's Effort to Increase the Supply of Affordable Housing," *Miller & Starr, California Real Estate Newsalert*, July 2018

"No Rights At the End of the Tunnel: Invalid Building Permits and the Doctrines of Vested Rights and Equitable Estoppel (*Attard v. Board of Supervisors*)," *Miller & Starr, California Real Estate Newsalert*, Volume 28, No. 2, November 2017

"No Boundaries: The Erosion of Private Property Rights by Judicial Deference to Regulatory Overreach," *Miller & Starr, California Real Estate Newsalert*, Volume 28, No. 1, September 2017

"Should *Phillippe v. Shapell* be Reconsidered? Written Brokerage Agreements and the Statute of Frauds in the 21st Century," *Miller & Starr, California Real Estate Newsalert*, May 2017

"Going for the Capillaries: Legislative Tinkering with California Planning and Zoning Laws to Address the Housing Shortage," *Miller & Starr, California Real Estate Newsalert*, Vol. 27, No. 4, March 2017

"Decision Shakes Up Dual Agency Rules for Brokerages," *Daily Journal*, December 7, 2016

"Here We Go Again: The Vicissitudes Of Public Policy And Guarantor Liability For California Real Estate Loans," *Miller & Starr, California Real Estate Newsalert*, Vol. 26, September 2015

"All Shook Up: California's Fragmented Earthquake Safety, Seismic Safety Upgrade and Seismic Hazard Disclosure Laws," *Miller & Starr, California Real Estate Newsalert*, Vol. 25, November 2014



"'Good' Bad Faith vs. 'Bad' Bad Faith: Equitable Principles and the Doctrines of Adverse Possession and Prescription," *Miller & Starr, Real Estate California Newsletter*, Vol. 24, co-authored with W. Scott Shepard, January 2014

"Show Me Your Papers: Sales and Assignments of Secured Real Estate Loans and the California Foreclosure Process (Part II)," *Miller & Starr, California Real Estate Newsletter*, Vol. 22, March 2012

"Show Me Your Papers: Sales and Assignments of Secured Real Estate Loans and the California Foreclosure Process (Part I)," *Miller & Starr, California Real Estate Newsletter*, Vol. 22, January 2012

"Residential Mortgage Relief for Homeowners and Tenants: State and Federal Legislative Responses to the Foreclosure Crisis," *California Real Property Journal*, Vol. 28, 2010

"Loan Carve-Outs for Nonrecourse Financing," *Commercial Mortgage Insight*, July 2009

"Leasehold Financing Demands Particular Protective Provisions," *Commercial Mortgage Insight*, January 2009

"The Perata Foreclosure Bill (SB 1137): New Rights for Defaulting Borrowers and Tenants; New Complications for Foreclosing Lenders," *Miller & Starr, California Real Estate Newsletter*, Vol. 19, September 2008

"Assessment Liens and Foreclosure in Common Interest Developments," *Miller & Starr, California Real Estate Newsletter*, Vol. 16, January 2006

"Escrow Holder Does Not Owe Duty to Third Parties," *San Francisco Daily Journal*, May 2002

"Fee Simple: Lenders Faced with Stop Notice May Retain Accrued Interest and Charges," *Los Angeles Daily Journal*, June 1999

"Due-on-Sale Clauses under the Garn-St. Germain Depository Institutions Act of 1982," *University of San Francisco Law Review*, Vol. 17, 1982-1983

"Agricultural District and Zoning: A State-Local Approach to a National Problem," *Ecology Law Quarterly*, Vol. 8, No. 4, March 1980

SPEECHES & PRESENTATIONS

"Foreclosures and Loan Modifications in the New Year: Foreclosure and State Litigation Response to the Foreclosure Crisis," Contra Costa Bar Association, January 2009

"What to Do When the Developer's Lender Calls," California Redevelopment Association Legal Issues Symposium, August 2007

"Common Pitfalls in California Real Estate Secured Transactions," California Banker's Association Bank Counsel Seminar, April 2003

Various presentations to public boards and legislative bodies and to client groups.