



# Karl Geier

## Shareholder



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### PRACTICE AREAS

The Book

Real Estate Finance

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As a shareholder, Karl advises and represents commercial, industrial, and residential clients in a wide range of complex real estate transactions. He is widely published and is 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*.

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Karl E. Geier is a shareholder in Miller Starr Regalia's Walnut Creek office. For nearly forty years, his practice has focused on all aspects of complex real estate transactions, land development, and financing. Karl 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 ten 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 - 2019)

*Super Lawyers* Northern California (2006 - 2020)

*Best Lawyers*® - Banking and Finance Law (2009 - 2020)

### **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**

"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

"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 Newsalert*, 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 Newsalert*, 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 Newsalert*, 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 Newsalert*, Vol. 19, September 2008

“Assessment Liens and Foreclosure in Common Interest Developments,” *Miller & Starr, California Real Estate Newsalert*, 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.