

Kirsten J. Day

Portland, Oregon
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Shareholder

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Areas of Practice & Industry Specialties

Real Estate; Commercial Lease Law; Real Estate Finance; Retail Leasing Law



Kirsten Day is a Shareholder in Buchalter's Portland office and a member of the Firm's Real Estate practice group. Ms. Day brings over 20 years of experience to her national practice in leasing, acquisition/disposition, development and financing of regional shopping centers and other retail properties, Class A office buildings and industrial properties.

Ms. Day has ample experience as both a private attorney and as the former Vice President and General Counsel of PacTrust (Pacific Realty Associates, L.P.), which has given her both a strategic focus and first-hand knowledge of the day-to-day legal issues that her clients face. While at PacTrust, Ms. Day oversaw legal matters for a 16 million square foot national portfolio of office, retail and industrial commercial real estate. She continues to represent a variety of clients on commercial real estate matters of all types, including real estate company management responsibilities, dispute assessment, negotiating and managing regulatory environmental compliance agreements, and other legal/business questions and issues faced by real estate companies.

Ms. Day has held leadership positions in numerous Real Estate Professionals associations, including CREW Network. She has been ranked by Chambers USA, as one of "America's Leading Real Estate Lawyers" since 2016, by "Best Lawyers" from 2019 ? 2024 and was most recently recognized by Connect CRE at the 2021 Women in Real Estate Awards. Furthermore, Business Today named her one of the "Top 10 influential Oregon Real Estate lawyers to watch in 2023."

Representative Matters

Commercial Real Estate Acquisitions, Dispositions And Development Transactions For Retail, Office, Industrial And Multi-Family Properties, Including

- \$202 million sale of business/industrial park
- \$57 million hotel purchase
- \$56 million purchase of a multi-family development
- \$30 million sale of Class A office building
- \$26 million sale and redevelopment of golf course
- Redevelopment (retail and light industrial) and partial sale of 100 acres in El Dorado, California
- Redevelopment joint venture of RV Park and raw land for major retail center in Ridgefield, Washington
- Acquisition and development of commercial sites (100+ acres each) in Washington, California and Oregon

Ground And Building Leases For Retail, Office And Industrial Properties, Including

- 190,000 square foot office lease for landlord's Class A office building in Portland, Oregon
- 162,000 square foot office lease for tenant's national headquarters in Vancouver, Washington
- 165,000 square foot lease for single tenant light manufacturing in Wilsonville, Oregon
- Healthcare outpatient/medical office build-to-suit single tenant lease and development agreement
- Single tenant office leases for Class A office buildings in Illinois, California, Washington and Oregon
- National and big box retail tenant leases (ground and building) in Washington, Oregon and California
- National fitness center tenant leases in Oregon and Alaska
- Shopping center development and leasing in California, Washington and Oregon

Litigation Management For Commercial Real Estate Disputes, Including

- Multi-million dollar mediation and arbitration concerning Oregon resort development
- \$5 million settlement in surrender of premises dispute with large technology tenant
- \$3 million litigation involving early termination of lease by tenant
- Settlement of mold litigation brought by tenant, including negotiating insurance coverage

Environmental Permitting And Compliance Work, Including

- Sale of heavily contaminated commercial property, including completion of a prospective purchaser agreement, for in-fill, mixed-use development
- Negotiations with Oregon Department of Environmental Quality (DEQ) of environmental covenants, deed restriction and remediation for alleged methane contamination in industrial business park

Real Estate Workout And Bankruptcy Matters, Including

- Leasing and transaction management for fifteen shopping centers, including two regional centers, held by special servicer
- Disposition of various retail properties within a national portfolio for special servicers
- Landlord/owner representation in tenant bankruptcy involving industrial complex with environmental contamination
- Landlord/owner representation in restructure of long term tenant lease for its worldwide headquarters

Publications

- Do Tenant Exclusives Work in Today's 'On Demand' Retail Environment?, *Western Real Estate Business*, August 31, 2021

Presentations

- Panelist, "Harnessing the Benefits of a Multigenerational Workforce," Centerforce Diversity in Law Series, October 5, 2023

Education

Ms. Day earned her J.D. from UC Hastings College of the Law, where she was the Associate Note Editor and Director of Writing Competition for the *Hastings Communications and Entertainment Law Journal*. She earned her B.A. on the Dean's List in Economics from Tufts University.

Bar Admissions

- Oregon
- Washington
- California

Community

- Impact Northwest (fka Portland Impact) Board of Directors, 2007 – 2013 and 2017 – 2018; Vice Chair, 2009; Chair, 2010 – 2013
- SOLVE Oregon Board of Directors, 2012 – 2015; Secretary and Executive Committee, 2013 – 2015; Strategic/Special Projects, 2015
- Lake Oswego School District Bond Accountability Committee, 2017 – 2020
- Wasabi Paddling Club Board of Directors 2020 – 2022
- Economic Development Policy Expert Group for Portland Comprehensive Plan Update, 2012
- Multnomah County Business Advisory Council, 2011 – 2013
- Oregon Uniform Covenants Act Work Group, Member, 2010 – 2011
- CREW Network (formerly National Network of Commercial Real Estate Women), 1994 – present; Board of Directors CREW-San Francisco, 1996 – 1999
- Lake Oswego High School Advisory Committee, 2015 – 2017
- Social Venture Partners Portland, 2003 – 2009; Investee Lead Partner and Co-Creator, Parental Engagement Program, 2005 – 2008; Partner, 2011