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FEATURE:
Law Office of
Sam J. Saad III

**LET'S DO
LUNCH & DINNER:**
Rib City

The Law Office of Sam J. Saad III

Naples Firm Helps Clients Navigate Legal Terrain With Confidence

By Elizabeth W. Pearce

What seems like a good deal may be anything but, particularly in real estate transactions that involve foreclosures, rentals and commercial properties. While the potential pitfalls are considerable and often costly, they're also avoidable, according to the founder of The Law Office of Sam J. Saad III in Naples.

"Understanding what you're buying, understanding the title, understanding the market and being able to properly vet your tenants are all extremely important," says Saad. "It can be a tremendous advantage to have someone by your side who knows real estate law and who has also bought and sold property."

Saad is thoroughly qualified in both areas. Besides being the managing attorney of his thriving legal practice, he is an extremely successful real estate investor.

Since the age of 17, Saad has been buying and selling residential and commercial real estate, primarily large, multi-family investment properties. Today, through limited partnerships nationwide, he owns a stake in more than 47,000 apartment units.

The Nebraska native first worked for another Naples law firm when he moved to the area in 2006. However, his entrepreneurial spirit prompted him to merge his passion for law and real estate and in 2009, he established his full-service law firm, focusing on small business and real estate. Since then, he has been providing "commonsense solutions" designed to protect the interests of clients throughout Florida. "My goal is to help the small business owner succeed," he says.

In addition to Lee, Collier and Charlotte counties, Saad's firm operates in Bay County, Hillsborough County (Tampa), Orange, Broward, Miami-Dade, Palm Beach, Sarasota and Duval counties. To help him cover such a broad service area, Saad works closely with in-house colleagues, as well as a statewide network of real estate attorneys.



▲ Shown here with clients at his Naples law office, Sam Saad works mainly with small business owners and entrepreneurs.

REAL ESTATE SOLUTIONS

Although Saad's firm does not work exclusively with residential and commercial property owners and managers, real estate law is its primary focus. Landlord/tenant law is an especially prominent aspect of the practice that includes the drafting of leases and property management agreements, handling evictions and addressing deposit disputes.

"People read headlines about how well real estate is doing and they think they can just go buy a piece of property, hang up a for-rent sign and they're good to go," says Saad. "But there's more to it. If you are an investor or manager of real property, be it commercial or residential, you need strong leases and an attorney who understands what it means to be in the rental business."

Investor/developer Ingrid Florez-Orgaz began working with Saad two years ago when he was looking for office space to lease. At the time, she was finishing construction of the Con-tesa Building, a three-story, 18,000sf

office building on U.S. 41 in downtown Naples. "He seemed like a nice guy and I thought he would be a great tenant to have in the building," she says. "I trusted him immediately."

Although it wasn't the right space for Saad, Florez-Orgaz believed he was the right person to help her with tenant leases and contracts. "I didn't think twice about it," she recalls. "I feel comfortable letting him handle (legal matters) for me and find him to be very helpful."

She also admires his deep involvement in the community. "When he talks about it, he expresses great emotion and enthusiasm. It makes you want to be a part of whatever he's working on or involved in. I think that says a lot about a person."

Consistently strong performance doesn't hurt either. Over the years, Saad's impressive credentials as an attorney/investor have helped his firm land some major accounts. Currently, it represents two of the area's largest property managers in landlord/tenant relations, mainly at single-family

homes. The firm also represents several commercial property owners and managers, and sometimes works with tenants, provided there's no conflict.

Foreclosures have been another business generator in recent years. Recently, Saad won a judgment for a client who had purchased property at a foreclosure auction and was challenged by the debtor who had lost it. Saad explained that because the winning bid was so low, the debtor argued that he should have the opportunity to get a better price by short-selling the property.

"We were able to successfully argue that the debtor was lawfully foreclosed on and had no claims to the property, and that our purchase should be upheld," says Saad. "The judge agreed, which allowed our client to preserve his interest in the property."

Additional investment property services include: foreclosure defense; loan modification; short sale negotiation; and deed in lieu of foreclosure. The firm also helps clients navigate the complexities of estate planning, including the crafting of land trusts, wills and trusts.

RESOURCES FOR ENTREPRENEURS AND INVESTORS

Saad says that his joy in practicing law is in representing the business entrepreneur or small-scale investor. "I want to help the new guy. I want to see him succeed."

Accordingly, Saad's firm offers legal services in various areas of business, including:

INTELLECTUAL PROPERTY

This practice area focuses on protecting the various things that make a business unique and includes copyrights, trademarks, trade names, service marks, contracts and more. "The process of filing the forms you need to protect your intellectual property can be prolonged and confusing," says Saad. "Our attorneys are qualified to file on your behalf."

Saad and his staff can also create custom forms, such as user and licensing agreements. Frequently, they draft "terms of service" agreements for the websites of retail and service businesses.

CORPORATE & TAX PLANNING

When it comes to corporate formation and governance, Saad's firm helps clients select the best corporate structure for their specific company. Business type, number of employees and tax elections are just a few of the factors Saad's firm discusses with clients to determine their optimum corporate framework. These services extend to the formation of non-profits and other tax-exempt organizations, as well as 1031 Exchanges.

SMALL BUSINESS REPRESENTATION

Complying with government regulations typically requires vigilance and extensive bureaucratic insight. That's why many in the real estate, contracting, service and other state-licensed industries rely on Saad's assistance with compliance rules and regulations issues. In addition to providing small business owners with well-written, enforceable contracts, the firm also reviews and negotiates contracts on behalf of clients.

COMMERCIAL LITIGATION

Although Saad's attorneys do everything possible to avoid the time and expense of litigation for their clients, they have the experience and expertise to represent clients in court.

OUTSTANDING CLIENT RELATIONSHIPS

After working with Saad just once, most people become clients for life and call him for all their legal needs (other than family or criminal matters). Typically, they also become friends. Westrop Systems CEO Onur Haytac is one such exemplary client who has worked with Saad for the past five years on a variety of business and legal matters.

Based in Naples, Westrop provides point-of-sale hardware and software for restaurants. With its systems in 6,000 restaurants nationwide, Westrop recently expanded globally with a software development office in India. Haytac explained that because the software is an off-the-shelf vs. custom product, it's critical to have highly specific sales agreements.

"It's very complicated," Haytac admits. "Sometimes, customers don't really look into what they're buying, so we need to make sure our agreements



▲ Saad reviews building plans with Paul Sukholinskiy, the firm's corporate and real estate clerk.

specify the features they request." Agreements must also cover every conceivable contingency. For example, they should spell out who is responsible in case a customer defaults on payments or an employee damages the equipment. Saad makes sure that they do.

He also helped Haytac purchase Westrop's headquarters facility, a 9,000sf industrial building on J & C Boulevard, in a foreclosure transaction. "When you deal with a bank-owned foreclosed property you have to make sure (that everything is in order) in order to close," says Haytac. "Sam did all the paperwork and title work, and within 30 days of putting in an offer, I closed on it. And I got an amazing deal."

Haytac adds that Saad is not only "very knowledgeable about tax issues," including sales and end-of-year tangible taxes, he's a friend. "He's the type of person I could call up at midnight if I needed help. He'd never say, 'I'm not working now; call me back tomorrow.' He's available whenever we need him."

A WISE INVESTMENT

Saad says that Haytac's foreclosure purchase is just one example of why it pays to work with a real estate attorney rather than a title company alone. "In

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Sam J. Saad III

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a commercial transaction, you really need the services of a lawyer because there are just too many variables involved and too many specialty items to address in a typical closing," he says.

"You want an attorney to review the leases, the surveys, the title reports, the inspection reports. As a lawyer, I could write a title policy to cover the title, but I would do all the due diligence work myself. Typically, a title company isn't going to do be that thorough."

Furthermore, working with a real estate attorney isn't necessarily expensive. Saad's firm has extremely reasonable rates and will also work with clients on a flat-fee basis "where it makes sense for all parties. I think that if you compare our rates with those of similarly experienced attorneys and firms, you'll see that we're below market. But I'm willing to sacrifice (a little bit) if my clients need more certainty about their closing costs. For me, it's all about the client."

Saad applies the same approach to travel time, even though he spends considerable time driving to and from hearings and court proceedings around the state. "I just take my call list and make phone calls from the road," he says. "Some attorneys would charge the client for that because it's billable time. It's billable time to me, but it's not wasted."

Besides offering affordable services, Saad is accessible. "My clients have my cell phone. They don't have to go through a switchboard or hunt me down through a series of secretaries



▲ Senior Counsel David Lupo and Saad frequently collaborate on behalf of their clients.

and answering services. They can call me, text me or e-mail me any time."

EXPANSION PLANS

Exceptional service has resulted in numerous referrals and revenue growth of approximately 200% per year in recent years. Saad is currently looking for a new building to purchase and some additional top-notch legal talent to help fill it. "We'd like to find someone who can provide an ancillary commercial service that we don't currently offer in-house," such as a trust and estates attorney, as well as an expert in condo/homeowner association law.

In the mean time, Saad continues

to cultivate a clientele of international investors who qualify for an EB5 visa. It is available to those who can invest \$1 million to start or expand a business that provides 10 jobs within two years. Further, it puts them on the fast track to U.S. citizenship.

However, regardless of who comes to him for legal assistance, Saad says he wants "to deal with someone who is serious about their business. I'm out there to get my clients results. So if you're a business entrepreneur or a small-scale investor and you want an experienced attorney who wants to help you succeed, who knows real estate and who is an entrepreneur himself, then I'm your guy." 🐾

Rib City

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with fries (dine-in only).

Rib City also offers Picnic Packs to go. Selections are designed to serve two people or more and include choices of meat, with or without baby back ribs, along with garlic bread, coleslaw and baked beans, depending on the number of people. A la carte items are also available for take-out by the pound, slab, rack or gallon.

Those who'd rather have Rib City come to them will delight in the restaurant's catering options. Equipped with mobile smokers and catering vans,

Rib City can accommodate private and corporate parties for upwards of 500 people. Menus may be customized to include any combination of barbecued meat and ribs, sides, beverages and desserts, served buffet-style. Rib City can also provide a Whole Hog BBQ for groups of 50 or more, complete with an on-site smoker and cook.

To their credit, the Pedens have been careful to protect the Rib City brand by growing judiciously. In fact, the restaurant had been in business for 15 years before the first franchise

was offered in 2004. Going forward, the Pedens anticipate additional franchise locations nationwide and many more milestones to celebrate.

(Rib City is open for lunch and dinner daily starting at 11 a.m. Monday — Saturday and 11:30 a.m. on Sunday. Open until 9 p.m. Sunday — Thursday and 10 p.m. on Friday and Saturday. Take-out and catering available. For more information, please visit your favorite Rib City restaurant or go to www.ribcity.com to find a location near you.)