

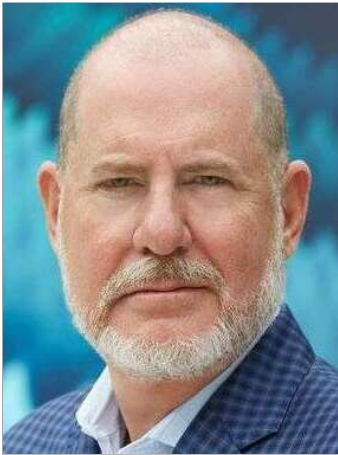


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How Miami Law Firms Combined To Meet Condo Law Demand

By **Madison Arnold**

Law360 (December 21, 2023, 4:14 PM EST) -- An influx of people moving to South Florida, as well as the 2021 Surfside condominium collapse that killed 98 people, has caused a spike in the demand for condominium and construction law expertise.



David B. Haber



Darrin Gursky



Marnie Dale Ragan

To help meet that demand, Haber Law recently brought on the entire seven-attorney team from boutique Gursky Ragan PA, which specializes in construction and condominium law. With the combination of the two Miami outfits, Haber Law now boasts a roster of 37 attorneys and increased capabilities in in-demand areas of the law, led by Gursky Ragan co-founding partners Marnie Dale Ragan and Darrin Gursky.

"Haber Law has an obviously very reputable platform in addition to us, and now there's a big amount of very highly skilled lawyers working together to tackle all these various things that impact our niche-type clientele," Gursky said.

Law360 Pulse recently caught up with David Haber, managing and founding shareholder of Haber Law, and Ragan and Gursky to learn more about the combination and the market for their services in the Sunshine State.

This interview was edited for length and clarity.

What is the benefit of Gursky Ragan attorneys joining Haber Law?

Haber: Darrin and I started talking initially about whether we could join forces, and it made economic sense for multiple reasons. One, we add overlap in terms of expertise.

Two, it would allow Marnie and Darrin to go out and promote and market Haber Law's other practice areas of complex commercial litigation and real estate. They don't have a real estate division, and it would give them the ability to market those services.

And third, it would give us and them [more depth] in the fields of condominium law and construction, which are niche fields. It's not like you just pull someone out of law school and say 'Hey, you're a construction lawyer,' or 'Hey, you're a condo lawyer.' It takes a significant amount of training in those areas, so it was good for both sides in that regard.

What is the demand like for legal services in construction and condominium law?

Ragan: South Florida is South Florida. Period. Everyone wants to be here. COVID brought an incredible influx of residents from the Northeast and, frankly, from around the country to come to South Florida. The cranes are there.

The climate is booming, and it's just created such an increase in the amount of businesses that are being constructed on a daily basis. When you have that, you have increased occupancy but you also have the increased need to make sure the construction is being undertaken in the correct manner. So, in essence, you've created a perfect storm for this type of practice to really flourish.

Whereas previously owners would treat these [condos] as maybe second or third [homes in] these high rises, residents are coming here to live. We still have a thriving rental market, but there's a lot more owner occupancy than we've seen. And with owner occupancy, there's a higher demand for the services [associations provide] from general concierge services in their lobbies, to the legal aspects and advice that they're seeking as well.

It's really created a perfect storm for these two firms to come together because we've got such a platform now to provide all of this service to the clients as well as the commercial real estate component that some of these owners may be looking for, some of these board members may be looking for.

Haber: The new legislation post-Surfside ... the work that needs to be put [out] is not minimal. On some of these 40-, 50- and 60-year-old condominiums, the concrete work, balcony work, pool deck and parking garage work lies in the tens of millions of dollars.

Whereas they might not have had big budgets for legal services [before], when signing a \$15 to \$30 million contract for construction, you need sophisticated lawyers who understand not just condo law, but understand construction law and construction contract law. And Haber Law has that ability and has those people with that expertise.

That is a new area for these condos, because remember that for many, many years, if not decades, they were kicking the can down the road and just not really doing what needed to be done in terms of preventative maintenance. And now they have major, major problems.

Gursky: Some of these associations are passing special assessments in excess of \$30 million. Units are having to pay \$50,000 special assessments in order to rehabilitate the condition of the property in a manner which is acceptable through each town and city, and engineers have to sign off on the habitability of the building consistent with a structural integrity report that all of them are preparing.

That is obviously creating a massive influx due to the older buildings, but then likewise you can look out these windows and see a dozen different cranes for new buildings.

What specific matters are condominiums and their boards needing legal help with?

Ragan: These aren't deep pockets corporations, while some of the owners may have deep pockets. You're really trying to maximize the efficiency of the services you provide because these owners don't want to just throw away their money.

The questions [range] from general contract review, engaging in professional operations, what vendors to contract with, from landscape companies to managers, to lobby redesigns, as well as just the general day to day HR and employment issues that we see as well.

Besides the demand for legal services, what do you attribute to your individual firms' success?

Ragan: There's a lot of construction around [South Florida]. There's a lot of condominiums, but it's a very small world, and it's run by a handful of management companies. The personal relationships that you develop really pay off over time and when you can be effective, obtain correct and satisfactory results for your clients, it just will continue and pay back tenfold. It really comes down to how capable you are and the services that you provide.

Haber: Haber Law made a decision about five or six years ago to focus its practice and work in four areas: complex commercial litigation, construction, condominium law and real estate.

I would say in part we were smart to focus on those areas. And in part with COVID and the influx of Northeastern people and people from around the world wanting to be in Miami and South Florida ... it was good timing, if you will.

From my perspective, Darrin and Marnie, with a seven-lawyer firm, really only had two choices, which was organic growth, which takes a lot of time and a significant input of capital.

What we offered Darrin and Marnie was an immediate platform, better marketing, better infrastructure for growth. We had already spent the money on technology and back office, and all of the things that they would have had to spend money on, and then they walk into a situation where it's already now available for them on day 1, and I think that was attractive to them.

It was attractive to us because of their good clientele, and their good reputation in the areas of construction and condominium law, but I think it's the combination of the two. And I think Haber Law provided them with the most attractive option.

What message are you hoping clients take away from the combination?

Haber: I would say the message is: We're the best and the brightest, and we get them the best results. ...

As more things come up, they're able to address it and deal with it, rather than just our two people or three people. You now have many, many people. Instead of nine people in the construction department, we'll have 11. Instead of eight people or nine people in the condo department, we now have 13. It gives us a tremendous amount of depth to both of those areas.

--Additional reporting by Carolina Bolado. Editing by Alex Hubbard and John Campbell.