

Opportunity Zones

Positioning clients to seize novel investment opportunities



When you need help

- identifying opportunities afforded by new legislation
- interpreting existing guidance and anticipating the direction of further guidance
- structuring your business to take advantage of these opportunities

our team is available to counsel and guide you through the regulatory framework to maximize your results.

Our specific experience at the intersection of investment and government rests on a broad foundation of representations across the real estate and business investment realms. This includes

- Representation of sponsors of real estate investment funds, tenant-in-common programs, and Delaware statutory trusts
- Representation of private funds in connection with formation, operation, investor matters, and compliance
- Representation of multifamily developers, retail developers, and investment companies in connection with property acquisitions, construction loans, development projects, and coordination with state and local governments
- Experience structuring and negotiating deals with city and county governments

Interdisciplinary team

- Tax attorneys
- Real estate acquisition, construction, and development attorneys
- Fund formation and operation attorneys
- Securities attorneys
- Venture capital and emerging markets attorneys

Related Practice Areas

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[Construction - Transactions](#)

[Emerging Growth & Venture Capital](#)

[Private Equity](#)

[Real Estate Capital Markets](#)

[Real Estate Investment Trusts](#)

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[State & Local Tax](#)

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Related Industries

[Banking & Financial Services](#)

[Construction](#)

[Real Estate](#)

Our clients are as diverse as our team

- Experienced real estate investors and developers
 - Venture capital funds
 - A wide array of start-up and established businesses seeking strategic investment opportunities
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Nelson Mullins' experienced Qualified Opportunity Fund Team combines legal and practical experience to help clients explore the possibilities represented by this once-in-a-generation investment opportunity.

Nelson Mullins is well-positioned to guide investors and fund managers through the complexities of this rapidly unfolding opportunity that aligns community and financial interests in a new way. We have worked with investors, real estate developers, and business owners to structure Qualified Opportunity Funds to meet business objectives and help achieve desired tax benefits for investors.

Our tax team has been on the forefront of thought leadership efforts to analyze and comment upon IRS administrative guidance as it has become available. Team members have formed deep relationships with local governments, and many of our attorneys have previously held positions with city and county governments and governmental agencies. In addition, our venture capital team has the necessary experience to assist with due diligence of qualified investments such that investments in early-stage companies located in Opportunity Zones are positioned to help investors receive the full tax benefits offered by the Opportunity Zone program.

Our lawyers have studied the laws, analyzed the opportunities, and stay abreast of developments in this rapidly-evolving area:

- **Counseling clients** on the benefits of Opportunity Zone investing in the context of their overall business and investment strategies
 - **Advising individuals and businesses** on the structuring of funds and investments
 - **Anticipating** forthcoming regulations that will better define how Qualified Opportunity Funds will operate
 - **Conferring** with government agencies and potential investors regarding project investments and creation of Qualified Opportunity Funds
 - **We have developed a framework** for advising on structural, operational and compliance dimensions of our clients' Qualified Opportunity Funds
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Additional Resources

These links to government websites are provided for convenience. Nelson Mullins does not monitor, and has no control over, the content in the linked websites.

- IRS FAQ: <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>
- Map of OZ tracts: https://www.cims.cdfifund.gov/preparation/?config=nfig_nmtc.xml

Why Nelson Mullins?

- Thought leadership, including participation in the official comments by the ABA Tax Section on proposed Opportunity Zone regulations, multiple articles analyzing Opportunity Zone laws and regulations, and numerous speaking engagements
- Seasoned advisors on multiple Qualified Opportunity Zone projects currently up and running
- Deep familiarity with tax structuring of investment funds and real estate development
- Broad experience in securities offerings, including private placement offerings and federal and state “blue sky” registration
- Extensive experience advising real estate companies and fund managers with respect to fundraising and project financing

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Created Opportunity Zone Funds for various managers investing in real estate and other assets. Drafted all fund disclosure documents and fund agreements as well as manager agreements and assisted with compliance related questions.
- Structured Opportunity Zone Funds for managers investing in timber and other non-real estate related assets and assisted with discussing relevant provisions of the proposed regulations with legislators.