Holland & Hart



PRACTICES

Commercial and Industrial Finance
Real Estate
Affordable and Multifamily Housing Finance
Leasing
Real Estate Finance

INDUSTRIES

Financial Institutions

EDUCATION

The Ohio State University School of Law, J.D., 1987
With honors

Kenyon College, A.B., 1984
magna cum laude

BAR ADMISSIONS

Colorado

Andrew Folkerth

Partner

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Andy is a trusted and experienced counselor, guiding clients through complex real estate lending transactions in addition to general real estate matters.

Experienced Real Estate and Lending Attorney: For more than 30 years, Andy's clients have trusted him to complete a diverse array of real estate, lending, and development transactions.

He has closed loans of all sizes and complexities, including construction loans, LIHTC financings, acquisition loans, ground leasehold financings, mezzanine financings, and loan syndications and participations.

Successfully Closed Loan Transactions: Andy works closely with banks and other financial institutions of all sizes to efficiently and effectively close their loan transactions.

His clients also rely upon him for day-to-day counsel on how to structure deals to get them closed. Andy is often seen as a “member of the team,” as he builds multi-year client relationships. He works within each client’s procedures and processes.

Acts as Local Counsel. Andy provides support to attorneys outside of Colorado, whether they are looking for a team member in a sophisticated multistate transaction or in need of a legal opinion.

EXPERIENCE

Lending Transactions

Andy has extensive experience helping banks, life insurance companies, developers, and financial institutions complete a wide array of lending transactions. Representative transactions include:

- Real estate loans
- Construction loans
- Acquisition loans
- Ground leasehold financings
- Mezzanine financings
- Loan syndications and participations
- Low-income housing tax credit financing
- Tax-exempt bond financing for affordable housing

Resolving Distressed Loans

When loans and properties get into trouble and become “special assets,” Andy helps determine the optimal way to resolve these problems, including:

- Workouts
- Receiverships
- Foreclosures

Acquisition, Sale and Leasing of Property

Andy represents both buyers and sellers throughout the entire deal process: from drafting the letter of intent, negotiating deal terms in purchase and sale agreements, conducting due diligence, all the way through the final closing of the transaction. Andy also has experience in drafting and negotiating office and retail leases. He helps complete the following types of commercial transactions:

- Office
- Retail
- Warehouse
- Resort
- Multi-use
- Hotel properties

CLIENT RESULTS

Represented a national banking client as lead lender in connection with a $65,000,000 syndicated loan for the construction of a 350+ unit multifamily project in Denver.

Represented a banking client as lender in connection with a $71,000,000 loan for the construction of a 400+ unit multifamily project in urban Denver.

Represented national bank as lender in connection with a $25,000,000 acquisition line of credit for automobile dealership floorplan.

Represented a national lender in construction loans for multifamily LIHTC projects ranging from $20,000,000 to $29,000,000 in Colorado, Utah, and Texas.

Represented the lead lender on a $140,000,000 construction loan for a multi-use project adjacent to a nationally recognized sports facility.

Represented a lender in connection with a $28,000,000 construction loan for a multi-use project, including office and retail, in a master planned community.

Represented lender in a $50 million land loan for future multi-phase development. The development is projected to contain multi-family

housing, car dealership and other businesses.

RECOGNITION

- *Chambers USA*, Banking & Finance, 2022-2026
- *The Best Lawyers in America*®, Real Estate Law, 2006-2027
- ColoradoBiz, Colorado 500, Real Estate/Construction Law, 2026
- Colorado Super Lawyers®, Real Estate, 2009-2018

PROFESSIONAL AND CIVIC AFFILIATIONS

- Denver/Colorado Bar Association, Member
- American Bar Association, Member