



Robert W. Gundlach, Jr.

Partner

Warrington, PA

Tel: 215.918.3636

Fax: 215.345.7507

rgundlach@foxrothschild.com

Rob's practice areas include transactional and zoning/land use work. In addition, he counsels businesses on a wide variety of legal related matters. Rob is a recognized authority in real estate law. He is Co-Chair of the firm's Zoning and Land Use Group and the immediate past Chair of the firm's Real Estate Department.

As to his real estate transactional work, Rob represents clients with the following:

- Agreements of sale for the sale and acquisition of real estate
- Landlord and tenant leasing involving shopping centers, office buildings, industrial complexes and all types of commercial properties
- Financing matters – both as to lenders and borrowers
- 1031 tax free exchanges and conservation easements
- Planned community and condominium documents
- Conveyance documents including easements, deeds and declarations of covenants, as well as title insurance matters
- Formation of corporations, partnerships and limited liability companies
- Construction and development agreements
- All types of real estate and business related contracts

As to his zoning/land use work, Rob represents developers, builders and property owners in Philadelphia and the surrounding PA and NJ suburbs with the following:

- Applications to zoning hearing boards and boards of adjustment for variances, special exceptions and zoning interpretations
- Rezoning—both map and text amendments
- Curative amendments and validity challenges—both substantive and procedural
- Subdivisions to create new building lots and land development for new projects, as well as SALDO waivers
- Expansions to existing commercial and industrial buildings

Rob's work with lender representation includes the following:

- Representation of banks with any conventional or more complicated loan transactions, including tax-free loans, construction loans and commercial loans secured by real estate in a number of states
- Review of bank loan documentation and the rendering of opinions as to the bank's ability to pursue enforcement and execution thereunder
- Assisting banks in the negotiation and preparation of forbearance agreements
- Completing amicable and contested mortgage foreclosure actions, as well as deficiency judgment claims against borrowers and guarantors
- The sale of real estate properties for lenders and performing due diligence work as to the status of permits and approvals

Finally, Rob handles real estate litigation work involving:

- Mortgage foreclosures
- Condemnation
- Tax assessment appeals
- Dedications under the Municipalities Planning Code
- Preliminary injunctions
- Specific performance claims under Agreements of Sale
- Landlord/tenant disputes
- Contract enforcement

Before Fox Rothschild

In law school at Temple University, Rob was a member of the *Temple Law Review* and received the Arthur L. Berns Memorial Prize for outstanding work in real estate law.

Beyond Fox Rothschild

Rob is a frequent lecturer and author on real estate subjects in the Commonwealth of Pennsylvania, including annual updates on zoning and land use cases and legislation. In Bucks County he has served as a board member on the Bucks County Planning Commission and Bucks County's Open Space Task Force; a presenter for the Bucks County Small Business Conference; and a board member of the Bucks County Community College Authority and the Bucks County Housing Group.

Client Resources

In the Zone Blog

Success in the real estate industry often hinges on making smart choices – and on being informed. Fox's [In the Zone](#) blog serves as a resource for developers, investors, lenders, design firms, landlords, tenants and more. Focusing on zoning and land use, the blog reports on trends and news in obtaining approvals and permits for new development, project financing, LEED certification and environmental regulation and enforcement.

Honors & Awards

- Named to "Best of the Bar" by *Philadelphia Business Journal* (2017)
- Named a "Super Lawyer" by *Philadelphia Magazine* and *Law & Politics Magazine*



Practice Areas

- Real Estate
- Eminent Domain/Condemnation
- Zoning & Land Use
- Construction
- Corporate
- Real Estate Tax Appeals

Bar Admissions

- Pennsylvania
- New Jersey

Education

- Temple University School of Law (J.D.)
- Indiana University of Pennsylvania (B.A.)

Memberships

- Home Builders Association of Bucks and Montgomery Counties
- Building Industry Association of Philadelphia
- Home Builders Association of Chester/Delaware Counties
- International Council of Shopping Centers
- Urban Land Institute
- NAIOP

Publications

July 2015

Time To Review Your Pennsylvania Real Estate Assessments

In the Zone

July 2015

Lot Purchase Agreements – Not Your Typical Agreement of Sale

In the Zone

July 2015

Beware of the Bats

In the Zone

July 2015

Waters of the U.S.

In the Zone

April 2015

Takings in Pennsylvania Related to Private Projects But With Public Benefits

In the Zone

April 2015

Commonwealth Court Restricts Mulching

In the Zone

January 2015

FAQs as to Certificates of Insurance With Agreements of Sale and Leases

In the Zone

August 2014

De Facto Takings in Pennsylvania

In the Zone

August 2014

The Process of Constructing Billboards

In the Zone

August 2014

Why You Need Legal Counsel

In the Zone

June 2014

Updating Your Corporate Records in PA May Protect Your Company From Liability Under Veil-Piercing Claims

In the Zone

May 2014

Changes to Non-Conforming Uses

In the Zone

May 2014

Time To Review Your Pennsylvania Real Estate Assessments

In the Zone

April 2014

The Need for Off-Site Stormwater Easements in Pennsylvania

In the Zone

March 2014

Pennsylvania Environmental Hearing Board Confirms Tolling Under PA Permit Extension Act

In the Zone

March 20, 2014

Pennsylvania Environmental Hearing Board Confirms Tolling Under PA Permit Extension Act

Real Estate Alert

February 2014

Beware of Notices From the Bureau for Historic Preservation



In the Zone

January 2014

Time To Review Your Pennsylvania Real Estate Assessments

In the Zone

January 2014

Commonwealth Court Supports a Waiver To a Requirement Under SALDO

In the Zone

March 2013

PA DEP Proposes Anti-degradation Policy for On-lot Septic Systems

In the Zone

March 2013

The Implied Warranty of Habitability is Extended by PA Superior Court

In the Zone

January 2013

PADEP Proposes Changes to Pennsylvania Natural Diversity Inventory (PNDI) Procedure

In the Zone

December 2012

New PA Law Affects Municipal Invoice Disputes, Escrow Requirements

In the Zone

November 2012

SCOTUS Hears Arguments on Temporary Takings Case

In the Zone

October 2012

PENNDOT Issues New HOP Indemnification Policy

In the Zone

October 2012

PENNDOT Publishes Draft Regulations Amending Highway Occupancy Permitting

In the Zone

July 2012

Case Study: Commerce Bank/Harrisburg, N.A. v. Kessler

In the Zone

July 2012

Significant Benefit to Developers and Landowners in NJ and PA: Further Approval/Permit Suspension Legislation Passed

Zoning and Land Use Alert

June 2012

New FHA Collections Rule Limits Borrower Eligibility

In the Zone

June 2012

Wetland Plant List Updated

In the Zone

June 2012

PaDEP Permitting Legislation Advances in House

In the Zone

June 2012

PaDEP Publishes New E&S Manual

In the Zone

April 2012

Access to Solar Energy the Focus of Complaint in Douglass Township, PA

In the Zone

April 2012

Army Corp Revises and Renews Nationwide Permits

In the Zone

April 2012

PECO and the HBA Discuss Gas and Electric Contracts

In the Zone

April 2012

New Notification Requirements for Water and Sewer Authority in Bucks County, PA

In the Zone

January 2012

Groups Petition To Redesignate the Delaware River as an Exceptional Value

In the Zone

January 2012

Chester County Posts Final Draft Stormwater Standards

In the Zone

November 2011

Bi-Partisan Housing Commission Announced

In the Zone

September 2011

Case Summary: PPM Atlantic Renewable v. Fayette County Zoning Hearing Board

In the Zone

September 2011

Legislation Targets Enviro-Activist Lawsuits

In the Zone



September 2011

Data Quality Act Now Law in Pennsylvania

In the Zone

August 2011

Case Summary: Pohlig Builders, LLC v. Zoning Hearing Board of Schuylkill Township - Variance To Allow Steep Slope Disturbance

In the Zone

August 2011

Case Summary: Northeast Pennsylvania SMSA Ltd. Partnership v. Scott Tp. Zoning Hearing Board - Height Relief for Cell Tower

In the Zone

July 2011

Pennsylvania Bans Private Transfer Fees

In the Zone

July 2011

OSHA Announces Three-Month Phase-In for Residential Construction Fall Protection

In the Zone

June 2011

Pennsylvania's Historic Preservation Plan Gets an Update

In the Zone

June 2011

Study Indicates Americans Prefer Smart Growth Communities

In the Zone

April 2011

Courts Still Struggling With Reach of Clean Water Act

In the Zone

April 2011

Pennsylvania Explores P3s for Transportation Projects

In the Zone

March 2011

Study Claims Open Space Generates Economic Benefits

In the Zone

February 2011

2010 Pennsylvania Land Use and Growth Management Report Released

In the Zone

February 2011

Rep. Harper Reintroduces Energy Efficient Building Bill

In the Zone

January 2011

Case Summary: Borough of Moosic v. Zoning Hearing Board of the Borough of Moosic v. Giuseppe Basile
In the Zone

January 2011

Congress Enacts New Federal Law Requiring U.S. To Pay for Stormwater Pollution
In the Zone

December 2010

Lancaster Court of Common Pleas Rules on Permit Extension Law
In the Zone

December 2010

Pennsylvania Creates Housing Trust Fund
In the Zone

December 2010

Chairman's Message: Residential Sprinkler Installation in Pennsylvania
In the Zone

November 2010

Fed Announces Interim Rules for Appraisers
In the Zone

November 2010

PA Construction Workplace Misclassification Act Signed Into Law
In the Zone

October 2010

Timely Appeals Critical With Conditional Deadlines
In the Zone

October 2010

PennDOT Offers Training on New Stormwater Drainage Policies
In the Zone

October 2010

PA EQB Proposes New Stream Designations
In the Zone

September 2010

Timely Appeals Critical With Conditional Deadlines
In the Zone

September 2010

Challenge to PA Building Code Falls Short
In the Zone

September 2010



Final Pennsylvania Chapter 102 Regulations Published

In the Zone

August 2010

PA Department of L&I Responds to Permit Extension Act

In the Zone

July 2010

Significant Benefit to Developers and Landowners: Governor Rendell Signs Approval/Permit Suspension Legislation

Zoning & Land Use Practice Group Alert

July 2010

Final-Form Chapter 102 Regulations Move to IRRC

In the Zone

July 2010

EPA Seeking Input on Changes to Sanitary Sewer Overflow and Peak Flow Rules

In the Zone

July 2010

Lehigh County Explores Sewer Capacity Expansion Options

In the Zone

July 2010

Buffer Regulations Approved by PA IRRC

In the Zone

July 2010

Bill Would Provide Tax Incentives, Grants for Preservation Projects

In the Zone

July 2010

Chester County Health Department Revises Fee Schedule

In the Zone

July 2010

Grand Jury in Corruption Trials Take Aim at PennDOT Unit

In the Zone

July 2010

Recent Successes

In the Zone

June 2010

Rail Options From Lehigh Valley to New York City Studied

In the Zone

June 2010

PA Legislature Opens Special Session on Transportation Funding

In the Zone

May 2010

Case Summary

In the Zone

May 2010

Chester County Completing Phase I of Countywide Stormwater Plan

In the Zone

May 2010

Not So Much "Green" for the Greens

In the Zone

May 2010

Delay of Lead-Based Paint Rules Unlikely

In the Zone

April 2010

PA House Democratic Policy Committee Holds Hearings on Riparian Buffers

In The Zone

April 2010

State Legislation Targets Independent Contractors

In The Zone

April 2010

A Cure For Cabin Fever

In The Zone

April 2010

Revisions Offered to Proposed Chapter 102 Regulations

In The Zone

April 2010

Top Myths About Pennsylvania's Building Code

In The Zone

April 2010

New NPDES Regulations Proposed

In The Zone

April 2010

Local Engineers Publish "Code of Conduct"

In The Zone

April 2010

Builders Denied Injunction Against Building Code

In The Zone



April 2010

Bill To Amend MPC Advances to Senate

In The Zone

April 2010

PA Senate Holds Hearing on DEP Permitting

In The Zone

April 2010

Treatment of Construction Industry by Health Care Reform Bill

In The Zone

February 2010

PA EHB Suspends NPDES Permit Over Stormwater Concerns

In the Zone

February 2010

New Lead Based Paint Mandates for Contractors

In the Zone

February 2010

New Rules for NPDES General Permits Are in Effect

In the Zone

February 2010

Recent Reassessment Decision Could Impact Other Counties

In the Zone

February 2010

Stormwater Listening Sessions Available

In the Zone

February 2010

In The Zone: February 2010

In The Zone

February 2010

EPA Proposing Mandatory 61-Page Stormwater Questionnaire for Developers

In the Zone

February 2010

Health Care Reform Legislation Targets Construction Industry

In the Zone

February 2010

Chester County Health Department's New Fee Schedule

In the Zone

February 2010

Department Still Struggling With Anti-Degradation Ruling

In The Zone

February 2010

PA Legislature Considering Housing Trust Fund

In The Zone

February 2010

Home Buyer Tax Credit; New NOL Rules Signed Into Law

In the Zone

February 2010

EPA Publishes New Limits on Stormwater Discharge

In the Zone

February 2010

Injunction Sought Against New Building Codes in Pennsylvania

In the Zone

February 2010

IRRC Irked by Proposed Chapter 102 Regulations

In the Zone

February 2010

New Year Will Ring in With New Building Codes

In the Zone

January 2010

New Alternate Onlot Sewage Treatment Systems Gain Approval

In The Zone

January 2010

New RESPA Rules Begin January

In The Zone

October 2009

Approval of the Month

In The Zone

October 2009

A Message from the Chairs

In The Zone

June 2009

PennDOT Releases New Policy Documents

In The Zone

June 2009

A Message from the Chairs - June 2009



In The Zone

April 2009

Chairmen's Message - April 2009

In The Zone

April 2009

Upcoming HOP Policy Changes

In The Zone

February 2009

Chairmen's Message (February 2009)

In The Zone

February 2009

Upcoming HOP Policy Changes In Pennsylvania

In The Zone

November 2008

PA Uniform Construction Code Review & Advisory Council

In The Zone

November 2008

Zoning and Land Use Chairmen's Message (November 2008)

In The Zone

October 2008

Zoning and Land Use Chairmen's Message (October 2008)

In The Zone

July 2008

Zoning and Land Use Chairmen's Message (July 2008)

In The Zone

May 2008

PECO Rate Increase

In The Zone

May 2008

Zoning and Land Use Chairmen's Message (May 2008)

In The Zone

May 2008

Herbert v. East Coventry Township Zoning Hearing Board

In The Zone

May 2008

Case of the Month (May 2008)

In The Zone

March 2008

New Case Law from the Pennsylvania Commonwealth Court

In The Zone

March 2008

Zoning and Land Use Chairmen's Message (March 2008)

In The News

January 2008

Pennsylvania Sprinkler Ordinance Case

In The Zone

January 2008

Clarifications from DEP on the Implementation of On-Lot Sewage Planning Regulations and Policies

In The Zone

January 2008

Is the Pendulum Swinging Back for Federal Substantive Due Process Claims?

In The Zone

January 2008

Zoning and Land Use Chairmen's Message (Jan 2008)

In The Zone

November 2007

Commonwealth Court Allows Blending of Impervious Surface Areas Across Districts

In The Zone

November 2007

Zoning and Land Use Chairmen's Message (Nov 2007)

In The Zone

November 2007

Proposed Legislation in Pennsylvania - November 2007

August 2007

Army Corps issues guidance regarding scope of jurisdiction under the CWA and Rapanos decision

In The Zone

July 2006

Proposed Legislation in Pennsylvania - July 2006

In The Zone