



## **Robert W. Gundlach, Jr.**

Partner

**Warrington, PA**

Tel: 215.918.3636

Fax: 215.345.7507

[rgundlach@foxrothschild.com](mailto:rgundlach@foxrothschild.com)

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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**

- Selected to the *Philadelphia Business Journal's* listing of "The Best of the Bar," (2017). A description of its methodology can be found at <https://www.bizjournals.com/philadelphia/news/2017/09/26/announcing-the-best-of-the-bar-philadelphias-top.html>



- Selected to the PA Super Lawyers list. The Super Lawyers lists are issued by Thompson Reuters. A description of its selection methodology can be found at [https://www.superlawyers.com/about/selection\\_process\\_detail.html](https://www.superlawyers.com/about/selection_process_detail.html). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

### **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