



## James H. Levine

Shareholder

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James H. Levine, a member of Baker Donelson's Board of Directors, has extensive experience in health care financing and in the representation of banks, other financial institutions and borrowers in HUD-insured loan transactions for multifamily and senior housing facilities.

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Working out of the Chattanooga and Washington, D.C. offices, Jim practices in the areas of commercial lending, mergers and acquisitions, business organizations and commercial contracts, and has been counsel in hundreds of HUD-insured loans in the senior housing industry totaling approximately \$3 billion in more than 40 states.

Jim has done extensive work on behalf of the American Bar Association and the Mortgage Bankers Association in providing comments to HUD's new multifamily and health care form loan documents, closing guides and opinion letters. Jim has wide-ranging experience in issues related to limited liability companies and has been a member of the Tennessee Bar Association's committee charged with modernizing Tennessee business organization laws. He also has extensive experience in the preparation and negotiation of commercial finance and corporate legal opinions.

### Representative Matters

- Led representation of a client as lender's counsel in \$19.5 million portfolio of HUD Section 232/223(f) HUD loans for five health care facilities located in South Carolina, North Carolina and Georgia.
- Represented a health care financing firm in a 10-site, \$82 million skilled nursing facility portfolio of HUD Section 232/223(f) mortgage loans in Texas. This complex deal involved a number of challenges because the facilities were all leased under a master lease to a third-party operator and were subject to accounts receivable financing in addition to the HUD mortgage loans.
- Represented a client as borrower's counsel in \$100.2 million portfolio of HUD Section 232/223(f) HUD loans for nine skilled nursing facilities located in Indiana, Michigan, Ohio and Kentucky. These loans were unique in that several of the facilities are subleased to county-owned hospitals in Indiana in order to take advantage of enhanced Medicaid reimbursement and the facilities were all owned by subsidiaries of a health care REIT.
- Represented a lending client in \$55.3 million HUD Section 232/223(f) financing of four Illinois supportive living facilities. The four facilities were subject to a master lease and also had separate accounts receivable financing.
- Representation of a client in \$11.8 million HUD Section 232/223(f) financing of two Oregon retirement centers. The two facilities were subject to a master lease with a third-party operator.
- Representation of a client in \$12.7 million HUD Section 232/241(a)) financing for the construction of an addition to an Indiana skilled nursing facility.
- Representation of a client in \$13.1 million HUD Section 232/223(f) financing of two Virginia skilled nursing facilities. The two facilities were subject to a master lease.
- Successfully closed HUD loan project changes of ownership for two large multifamily apartment communities on behalf of a major commercial real estate finance company. The properties were purchased for \$129 million.

- Served as lender's counsel in a transaction to reduce the interest rate on a \$129.9 million HUD Section 242 loan which financed a hospital in Puerto Rico.
- Represented a commercial lending client as lender's counsel in the closings of a change in the licensed operators of two Delaware nursing homes serving as collateral for two HUD-insured loans. Baker Donelson previously represented the client in the original HUD loan closings, which totaled \$43 million, and in the assignments of both HUD loans to new borrowers.
- Represented a leading commercial real estate finance company as lender's counsel in the closing of a \$19.7 million HUD-insured refinancing loan for a 140-bed long term care facility located in Pennsylvania.
- Represented a commercial real estate finance company as lender's counsel in the closing of a \$10.4 million HUD-insured refinancing loan for a long term care nursing and rehabilitation facility located in Ohio.
- Served as lender's counsel in the closing of a change of operator transaction for a Maryland nursing home subject to a \$14.7 million HUD-insured loan.
- Represented a specialty lender as lender's counsel in the closing of a \$10.9 million HUD-insured refinancing loan for a 135-bed skilled nursing facility located in Massachusetts.
- Represented a specialty lender as lender's counsel in the closing of a \$17.7 million HUD-insured refinancing loan for a 72-bed comprehensive care facility located in Indiana.



## Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for Business Organizations (including LLCs and Partnerships) (2012 – 2025); Commercial Finance Law (2020 – 2025)
- Named the Best Lawyers® 2025, 2023, and 2018 Business Organizations "Lawyer of the Year" in Chattanooga
- Selected to Mid-South Super Lawyers (2009 – 2012); Business/Corporate (2019 – 2024)
- Named a Rising Star by Mid-South Super Lawyers (2008)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Member – Chattanooga, Tennessee, Georgia and American Bar Associations
- Former Board Member – Chattanooga Area Chamber of Commerce
- Board of Commissioners – Chattanooga Housing Authority (2013 to present)
  - Chair (2018)
  - Vice Chair (2017)
- Member – Rotary Club of Chattanooga
- Former Board Member – T.C. Thompson Children's Hospital Foundation
- Former Member – McCallie School Alumni Council
- Alumni Schools Committee admissions representative for Yale University
- Managing Editor – Tulane Environmental Law Journal (1996 – 1997)
- Recipient – *Tulane Environmental Law Journal* "Excellence in Production" Award (1997)
- Judicial Extern – Federal Magistrate Judge Joseph C. Wilkinson, Jr., Eastern District of Louisiana (1996 – 1997)
- Former Member and Chairman of Executive Council of Business Law Section of Tennessee Bar Association
- Former Member of committee charged by the Tennessee Bar Association with drafting new laws governing limited liability companies in Tennessee
- Former member of the Tennessee Bar Association's Tennessee Business Entity Study Committee, which is charged with updating and modernizing Tennessee's business organization laws
- Former Board Member and Former Chairman of the Baroness Foundation (the charitable foundation arm of Erlanger Hospital)



## Publications

- Co-author – "2021 Changes to the HUD Form of Opinion in HUD-Insured Multifamily Loans," *Opinions Matters*, American Bar Association's Committee on Legal Opinions in Real Estate Transactions Newsletter, Volume 6, Number 3 (Fall 2021/Winter 2022)
- Co-author – "HUD Weighs in on Questions in Long Term Care Finance," *National Mortgage News* (May 2014)
- "FHA — Still Essential For Health Care Facilities," *Law360* (September 2012)
- "HUD Issues Proposed Amendments to Regulations Governing Insurance of Health Care Facility Loans," *American Health Law Association* (June 2012)



## Speaking Engagements

- Co-presenter – "Lender Control of Deposit Accounts and Cash Flow Structures in Long Term Care Facility Financing," webinar (April 2023)
- Panelist – "DACAs, DAISAs and Cash Flow Structure Consideration," 2022 HMAAC Conference (June 2022)
- Moderator – "Cash Management of LTC Facilities," 2018 Long Term Care Symposium (November 2018)
- Moderator – "Coming Soon: New Section 232 Documents," First Annual Healthcare Mortgage Advisory Council (HMAAC) Conference, Washington, D.C. (October 2018)
- Panelist – "How to Facilitate Smooth and Timely HUD Closings in Loans for Healthcare Facilities," Southeast Mortgage Advisory Conference (SMAC) Annual Meeting, Atlanta, Georgia (April 2017)
- "If You've Got the Money, I've Got the Time: Financing – Capital Markets, HUD, EB-5," 2016 Long Term Care Symposium (November 2016)
- Panelist – "Reflections on Working With HUD," Committee on Healthcare Financing Annual Meeting, Washington, D.C. (June 2016)
- Moderator – "Insights on Financing Your Project or Portfolio – Getting the Results You Want," Baker Donelson Long Term Care Symposium (November 2014)
- "HUD & Healthcare Facilities: Navigating the Rules," ABA Forum on Affordable Housing & Community Development Law, 22nd Annual Conference (May 2013)
- "HUD LEAN: Changes and Updates," webcast, Irving Levin Associates, Inc. (July 2012)
- "HUD Lender Underwriting Training," Section 232 Loan Program, Chicago, Illinois (September 2011)
- "HUD Legal Opinions in Multifamily Loan Transactions: Understanding the New Opinion Form," ABA national teleconference CLE (July 2011)



## Webinars

- Lender Control of Deposit Accounts and Cash Flow Structures in Long Term Care Facility Financing (April 2023)



## Education

- Tulane University Law School, J.D., 1997, cum laude
- Yale University, B.A., 1992



## Admissions

- District of Columbia, 2015
- Tennessee, 1997
- Georgia, 2007