ArentFox Schiff LLP
Attorneys

Charles B. Ferguson, Jr.

PARTNER

Chip advises clients in real estate, financing, and corporate transactions.



Industries

Hospitality
Long Term Care & Senior Living

Practices

Real Estate
— Acquisitions & Dispositions
— Real Estate Development
— Real Estate Finance - Borrowers
— Real Estate Leasing
— Real Estate Workouts, Restructuring & Distressed Debt
— REITs

Education

Emory University School of Law, JD, with honors, 2000

James Madison University, BA, 1995

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Charles Barry “Chip” Ferguson, Jr. works with clients to fashion pragmatic solutions that are in line with clients’ goals and targets. His practice involves a variety of commercial real estate transactions, including the acquisition, financing, and leasing of real property, condominium conversions, financing transactions, and related corporate matters. His experience includes the acquisition, ground leasing, and sale of individual properties (hotels, senior living facilities, office buildings, and shopping centers), as well as multi-state portfolio acquisitions and sales. He also has extensive experience in leasing transactions, including office leases, restaurant leases, and retail leases, and in assisting developers in establishing both vertical and horizontal condominium regimes, air rights regimes, and similar property reconfigurations.

Chip is Co-Chair of the firm’s Hospitality industry group.

Client Work

Chip’s real estate financing work includes representing borrowers and lenders in commercial transactions in a variety of structures totaling over $4 billion. These financing transactions include acquisition loans, construction loans, mezzanine loans, take-out financing, refinancings, loan restructurings, entity restructurings, and other financing vehicles. Chip’s corporate experience representing public and private companies includes mergers, equity acquisitions, reorganizations, joint ventures, and a public offering.

Some of Chip’s representative matters include:

- Initial public offerings and related mergers for a REIT that holds an indirect interest in over 130 hotel properties.
- Both mezzanine and mortgage financing in connection with the acquisition of a 760-room hotel in Manhattan.
- Restructuring loans totaling $111 million in principal and cross-collateralizing the security for such loans among properties located in five states.
- Convertible equity financing, refinancing, and restructuring of financing related to a

- Mexican resort hotel.
- Sale of multistate hotel portfolio.
- Acquisition of a 280-room luxury hotel in Manhattan.
- Workout of a loan secured by a hotel located in Minnesota.
- Sale of a portfolio of senior living centers.
- Ground leasing numerous restaurant sites.
- Advising on issues related to Paycheck Protection Program loans.
- Negotiation of the transition of variable interest rate loans from LIBOR to SOFR.

Previous Work

Prior to joining ArentFox Schiff, Chip interned for both Justice Hugh Thompson of the Georgia Supreme Court and the Honorable John Warner of the US Senate and assisted in drafting the implementing regulations for the Georgia Regional Transportation Authority.

Publications, Presentations & Recognitions

- "Non-Recourse Carve-Outs: Borrower and Guarantor Considerations," *Hotel Business Review*, August 2023.

Bar Admissions

District of Columbia

Maryland

Court Admissions

US Court of Appeals, 4th Circuit