



SpencerFane®

William J. (Josh) Podolsky III

Partner

Contact

Tampa

P 813.424.3523 | F 813.405.8904

jpodolsky@spencerfane.com



Overview

Josh Podolsky regularly represents buyers, sellers, investors, developers, property managers, general contractors, and financial institutions in real estate matters and has a strong capability to handle title insurance-related matters throughout Florida. He also advises both lenders and borrowers on various types of financing mechanisms available to efficiently and effectively construct and finalize complex transactions. He regularly acts as local counsel to lenders and borrowers throughout Florida and issues legal opinions pertaining to loan transactions.

With a wide-ranging business law background, Josh brings a practical problem-solving approach to his practice in real estate, commercial transactions, banking, finance, general business, and corporate and partnership matters. This includes business and real estate dispositions, acquisitions, and other transactions; the formation and counseling of limited liability companies, partnerships, and corporations; and the representation of financial institutions, private lenders, and borrowers in the origination, documentation, and workout of commercial and real estate loans and in commercial real estate leasing.

Josh's experience includes large, multisite, multistate sale leaseback transactions, giving him important insight into the challenges involved in the acquisition of a business through the sale of underlying real estate or the refinance of existing debt, with a long-term leaseback by the financing source to the business operator. He also handles the formation and funding of ownership entities, advising clients on employment and executive compensation matters, obtaining local and state governmental approvals for development projects, and drafting and negotiating construction-related documents. Specifically, he has drafted and negotiated leases throughout the Southeast for various commercial enterprises, including negotiating and drafting retail, industrial, office space, and ground leases on behalf of both landlords and tenants, as well as advising clients on the related consulting, brokerage, and listing agreements.

In 2011, Gov. Rick Scott appointed Josh to the Florida Real Estate Commission, a seven-member panel tasked with administering and enforcing the state's real estate license law. He, along with his fellow commissioners, assisted the Division of Real Estate with drafting various Florida Administrative Code rules, which implement the Commission's statutory authorized duties and responsibilities.

While in law school, Josh served as a federal judicial intern for the Hon. Elizabeth A. Kovachevich in the U.S. District Court for the Middle District of Florida and clerked at the Florida Office of the Attorney General.

Education

- Stetson University College of Law, 2003 (J.D.)
- The University of Tampa, 2001 (B.S.)

Bar Admissions

- Florida
- Texas

Distinctions

- *Best Lawyers in America*, 2024
- *Best Lawyers in America*, Ones to Watch, Real Estate Law, 2019–2023
- *Florida Trend*, Legal Elite, 2019–2021
- *Florida Super Lawyers*, 2019–2024
- *Florida Super Lawyers*, Rising Stars, 2009, 2013–2018
- Martindale–Hubbell, AV Preeminent
- *Tampa Bay Business Journal*, Up & Comers, 2008

Related Experience

- Represented the purchaser in acquisition and financing of a \$62.95 million apartment complex, which consisted of 278 units located in Broward County, Florida.
- Represented the purchaser in acquisition and financing of a \$95.55 million apartment complex, which consisted of 422 units located in Broward County, Florida.
- Represented the purchaser in acquisition and financing of a \$78 million apartment complex, which consisted of 300 units located in Broward County, Florida.
- Represented the franchisee in the refinance of a \$25 million operating debt facilities for multiple fast-casual franchise units in Florida.
- Represented a client in the acquisition of a 90-bed skilled facility nursing home facility in Lake Eustis, Florida, and subsequent sale of two facilities totaling 260 beds in Arcadia and Lake Eustis, Florida.
- Represented an international technology company in securing \$13.2 million revolving and term loan facilities, including an international bank facility, letter of credit sub-facility, and a commercial real estate mortgage loan.
- Represented a national realty company and investment firm in the documentation and title aspects of a \$51 million loan secured by a 376-unit apartment complex in South Florida, wherein the borrowing entity had a complex 1031 exchange capital structure.
- Represented the servicer of residential and nonresidential loans in foreclosure and workout matters throughout the states of Florida and Texas.
- Represented a client in secondary market loan sales, acquisitions and make-whole claims involving loans throughout Florida.
- Represented a lender in refinance of \$140 million commercial loan secured by a multifamily real estate construction project in Miami, Florida.

- Represented a client in the relocation of corporate headquarters in Tampa, Florida, assisting with their lease negotiations, construction and build-out related contracts, and tenant improvement escrow arrangements.
- Represented the lenders in commercial real estate and corporate lending activities throughout Florida.
- Represented a subsidiary of a restaurant franchisee and operator in the financing of a multistate and multi-unit sale leaseback transaction and simultaneous refinance of existing credit facilities.
- Represented a client in strategic consolidation of business and private equity transaction involving various client business lines.
- Represented a client as local Florida counsel on \$50 million refinance of a revolving credit facility secured by real property and other assets located in Orange County, Florida.
- Assisted a client with lease negotiations associated with multiple MRI facilities throughout Florida.
- Assisted a client with leasing and relocation efforts associated with moving corporate headquarters from Tampa to Miramar, Florida.