

JAMES SUTCLIFFE

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James Sutcliffe is a highly respected banking and finance lawyer with extensive experience in all aspects of commercial lending, including acquisition, leasing and real estate financing transactions. He advises banks and private institutional lenders, US and other foreign financial institutions, syndicates and joint ventures on their Canadian activities.

Experienced in all manner of loan transactions, James acts on term and construction loans, asset-based loans, term real estate deals, cross-border loan deals and dealer finance transactions. He advises on financing for construction and infrastructure projects in a range of industries, including the renewable energy and senior living sectors, drawing on significant expertise in public private partnerships.

James is recognized in Best Lawyers in Canada (2021) as a leading lawyer in the area of banking and finance law. He is a frequent presenter and editorial contributor on lending issues, and has acted as an editor of publications on real estate financing and mortgage practices.

Email: james.sutcliffe@mcmillan.ca

Expertise: Banking & Finance, Commercial Real Estate, Construction & Infrastructure, Financial Services, Project Finance & P3

Location: Vancouver

Phone: 604.893.2317

Position/Title: Partner, Financial Services

Directorships & Affiliations:

- Law Society of British Columbia, Guest Lecturer
- Banking Law Subsection, Canadian Bar Association, B.C. Branch, past President

Education & Admissions:

Degree: Called to the British Columbia bar

Year: 1996

Degree: Called to the Ontario bar

Year: 1992

Degree: LLB

University: University of Toronto

Year: 1990

Rankings & Recognition:

- Recognized by *Best Lawyers* in Canada (2022) as a leading lawyer in the area of Banking and Finance Law
- Recognized in the 2021 Canadian Legal Lexpert Directory as a Consistently Recommended Lawyer in the areas of Asset-Based Lending and Banking & Financial Institutions
- Recognized by the Best Lawyers in Canada (2021) as a leading lawyer in the area of Banking and Finance Law
- Recognized in the 2020 Canadian Legal Lexpert Directory as a Consistently Recommended lawyer in the areas of Asset-Based Lending and Banking & Financial Institutions
- Recognized by Best Lawyers in Canada (2020) as a leading lawyer in the area of Banking & Finance Law
- Recognized in the 2019 Lexpert/ROB Energy – Special Edition as one of Canada’s Leading Energy lawyers
- Recognized by the 2019 Lexpert Guide to the US/Canada Cross-Border Lawyers in Canada as a leading Canadian lawyer in cross-border practices
- Recognized in the Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the areas of Asset-Based Lending and Banking & Financial Institutions
- Recognized by Best Lawyers in Canada since 2006 to present as a leading lawyer in the area of Banking & Finance Law
- Ranked by Lexpert Guide as a leading US/Canada Cross-Border Lawyer in Canada
- BV Peer Review rated by the Martindale-Hubbell International Law Directory

Representative Matters:

- Acted for Canadian Western Bank on a major syndicated acquisition and construction facility to a large

Vancouver developer

- Acts for Canadian Western Bank on syndicated and bilateral credit facilities to many of the major real estate developers in B.C., including Bosa Developments, Anthem Properties, Boffo Developments, Bosa Properties, Mosaic Properties, Marcon, Wesgroup Properties and Townline Homes
- Acts for Royal Bank of Canada on a \$400 million syndicated construction credit facility to Bosa Development corporation in connection with the construction of two high-rise condo towers
- Acted for Royal Bank of Canada on a large credit facility to a joint venture comprised of a developer and a global investment, operating and development company
- Acted for Royal Bank of Canada and a lending syndicate on multi-phase construction financing of a residential and retail project in Burnaby
- Acted for Royal Bank of Canada and a lending syndicate on construction facilities for a residential tower at Brentwood Mall in Burnaby
- Acted for a major group of companies in the gaming and entertainment sectors on multi-jurisdictional credit facilities
- Acted for a foreign bank subsidiary on a large acquisition transaction in Vancouver
- Acted for Bank of Montreal for several acquisition facilities to a borrower group operating in multiple Canadian jurisdictions
- Acted for Bank of Montreal on credit facilities for the acquisition of Grouse Mountain ski resort
- Acted for Bank of Montreal on credit facilities for the acquisition of Hotel Georgia
- Acted for Bank of Montreal on credit facilities in respect of the purchase of a major retirement living group
- Acted for KingSett Capital Corporation in respect of a large senior construction credit facility
- Acted for KingSett Capital Corporation on a subordinated facility in respect of a large, complex, multi-party development in Vancouver
- Acted for KingSett Capital on various senior and subordinate acquisition and construction loans for projects in British Columbia.
- Acted for National Bank of Canada on a senior construction credit facility

Industries: Banking & Finance, Construction & Infrastructure

Practices: Commercial Real Estate, Financial Services, Project Finance & P3