



The US Private Real Estate Fund Compliance Guide: How to register and maintain an active and effective compliance program under the Investment Advisers Act of 1940

Charles Lerner, Richard D. Marshall, Raj Marphatia

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The passing of the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010 requires US advisers to private funds with at least \$150 million in assets under management to register with the US Securities and Exchange Commission (SEC). Real estate funds are not exempt from registration – for private real estate advisers, the key question whether to register depends on if the funds contain securities.

This publication, *The US Private Real Estate Fund Compliance Guide*, is a detailed source of practical and insightful advice on SEC registration and compliance for private real estate fund managers who are registering for the first time, newly registered investment advisers or experienced advisers who are seeking guidance on the latest regulatory reforms and changes.

Lead-edited by Charles Lerner of Fiduciary Compliance Associates, this publication addresses in detail key compliance areas including the registration process, marketing, custody, anti-corruption, setting up a compliance program, managing conflicts of interest, books and records, valuation and pricing, and advisory boards.

This essential resource will help you to:

- Evaluate if your private real estate fund will need to register with the SEC
- Complete Form ADV Part 1 and prepare Part 2
- Discover what information can be placed in fund marketing materials
- Understand the potential impact of regulations stemming from the AIFM Directive in Europe that would come into effect as soon as July 2013

- Assess the impact of Form PF
- Identify and manage conflicts of interest among your firm's strategies and within your firm's operations
- Learn what books and records must be maintained
- Create a compliance program tailored for your firm's business
- Prepare for an SEC examination and identify the key areas of interest for examination staff.

This title will help you to identify if your firm needs to register with the SEC and what SEC registration entails. Registration can change the way you do business. Advisers are required to, among other things, establish a formal compliance program, appoint a chief compliance officer, revise fundraising and marketing documents, and face SEC examinations.

15 leading practitioners in private real estate provide expert insight and knowledge on this complex and increasingly more important subject.

Lead edited by Charles Lerner of Fiduciary Compliance Associates, with chapters written by:

- Beacon Capital Partners

- Deloitte Financial Advisory Services LLP

- Deloitte & Touche LLP

- EisnerAmper LLP

- Ernst & Young LLP

- Finn, Dixon & Herling LLP

- Gibson, Dunn & Crutcher LLP

- Highfields Capital Management

- K&L Gates LLP

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Lamar Santiago:

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David Blunt:

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