

Partnering With Universities in Housing and Other Endeavors

by Dan Rafter



Chicago's Northeastern Illinois University reached a significant milestone in 2016 when the first residence hall in the school's history, dubbed The Nest, opened its doors.

University officials say the dorm is an important tool for Northeastern Illinois as it fights to recruit a steady stream of new students. Up until The Nest opened, Northeastern stood as the state's only public, four-year institution that did not have its own on-site student residences.

And without the help of Howard P. Zweig, industry chair and attorney with Chicago's Taft Stettinius & Hollister, this new dormitory might never have come to fruition, says Melissa Reardon-Henry, legal counsel with Northeastern Illinois University.

Zweig helped Northeastern navigate the complexities of developing a public-private partnership to pay for the building of the \$34.2 million dorm during a time in which the state's public universities were struggling

mightily with a reduction in financial support from the state of Illinois.

Then there were the political aspects of the project. Reardon-Henry says Northeastern's decision to build a dorm was controversial, with some students and professors questioning whether a focus on residence halls would detract from the work the university was already doing with its commuter-student population. Northeastern is home to many older students who take college classes later in life. Most of these students weren't interested in a dorm.

Enter Zweig, who provided the sound legal advice Northeastern needed to close a complicated financial relationship that included a public-private venture, a long-term ground lease and tax-exempt financing.

And Reardon-Henry? She says she had little doubt Zweig was the right person to navigate both the political hurdles and the financial ones.

"Howard is very sensitive to his clients' particular circumstances," Reardon-Henry says. "He takes the time to get to know the institutions he is representing and to fully understand their objectives. Then he does his level best to advocate for those outcomes."

Reardon-Henry says Zweig's creativity and knowledge both played key roles in making the residence hall a reality.

"Howard was critical on this project," she says. "We could not have opened our first residence hall without him. Getting a residence hall was a major objective of Northeastern Illinois University. We needed someone with the expertise to represent the institution. I have no actual real estate experience. I completely lack it. We relied on Howard. And he came through for us."

Reardon-Henry says she would never hesitate to turn to Zweig for any real estate matters—or any legal issues at all—that her university faces in the future.

"I admire Howard tremendously," Reardon-Henry says. "He is a mensch. He is a great person to work with. And, above all else, he is a tremendously skilled lawyer."

Reardon-Henry is far from the only client to commend Zweig's work. Zweig has crafted a thriving legal career based on working with higher-education and non-profit institutions in nearly all areas of law, handling everything from real estate contracts to authority issues to operational matters for these clients.

He's especially sought-after for his work

on crafting public-private student-housing transactions for universities and colleges. Zweig has represented four national universities in such efforts, helping these clients build 1,000-bed, 900-bed, 440-bed and 325-bed facilities.

SUMMER JOB PIQUES INTEREST

Zweig, though, didn't always plan to work as an attorney. He describes his path to the field of law as anything but a straight one.

"It was a long journey to get here," Zweig says.

As a child, Zweig was more interested in architecture than law. That interest was especially piqued one summer before Zweig started high school when he watched his neighbor who was building a new house. The work involved in building this structure fascinated Zweig.

His neighbor noticed Zweig's interest and asked him if he wanted a summer job helping around the construction site. Zweig did. And when the neighbor asked Zweig's dad if he minded if Zweig went to work?

"My dad said, 'What do you mean, mind? It's time for him to get to work,'" Zweig says.

Zweig ended up working with his neighbor on construction jobs all throughout high school, something that Zweig credits as the beginning of his interest in architecture.

When it was time for college, Zweig applied for and was accepted to Cooper Union, a college in New York City that until last year was the only free private college in the country. Zweig first enrolled in the college's fine arts program but then moved into the architecture program.

"I liked the more structured education," Zweig says. "I really enjoyed studying architecture."

Zweig also found a mentor during this time. While in college, Zweig took a job working as a part-time handyman for a couple who lived on New York's Upper East Side. The husband was a lawyer. Eventually, Zweig and the couple became friends, with the attorney serving as a lifelong mentor.

Zweig also interned later in his college career with an urban planner. As part of this internship, Zweig worked on a historic preservation project centered on a Shaker colony in upstate New York. It was a project, and work, that also fascinated Zweig.

"All of these things were playing in my mind when I was considering grad school," Zweig says. "That combination of mentoring and the historic preservation work influenced what I wanted for a career. I knew I wanted to go to grad school, so I figured law sounded like a good idea. It wasn't because I wanted to become a lawyer, but because I was interested in real estate, zoning and historic preservation. That was the genesis for my interest in becoming a lawyer."

Zweig took a similarly twisting path to get to Chicago. He attended law school at

the University of Minnesota. During his first winter there, Zweig and his wife lived through a period of 30 days when the temperature never inched above zero. That inspired his wife to request a move to a warmer climate.

That warmer climate? It turned out to be Chicago, where Zweig and his wife arrived after law school was done.

"I daresay, I am one of the few people who came to Chicago for the climate," Zweig says.

THE NORTHWESTERN KICKSTART

During his first years in the city, Zweig took on any case he could find that had at least a little to do with real estate.

"I was hungry for a broad real estate practice," Zweig says.

During his hunt for real estate-related cases, Zweig worked with the Housing Authority of Cook County to help close its purchase of property from Northwestern University in Evanston. During this case, Zweig met the legal counsel for Northwestern. The case involved zoning issues, too, which led Zweig to work with the city of Evanston. Zweig also appeared before Evanston's Plan Commission and Zoning Board of Appeals.

Not too long after that case ended, Zweig moved from Chicago to Evanston. Once in the suburb, he began serving on Evanston's Zoning Board of Appeals. From all this was born his interest in zoning matters and urban planning.

Zweig's interest in education is a long-standing one. But it got a boost when a fellow attorney moved to Northwestern University to work as the school's legal counsel. Zweig worked with this colleague to help Northwestern develop the Northwestern University/Evanston Research Park.

That was a complex job, but one that Zweig found fascinating. He was happy to take on a similar challenge, helping the University of Illinois at Urbana-Champaign navigate the complicated process of building its own research park. That project was another success for Zweig, and it helped propel him to the busy career of working with colleges and universities across the region.

This career has led to several interesting cases, including the work he did for Northwestern University when the city of Evanston created a new residential historic district. Part of the city's new district, which restricted the renovations and changes property owners could make on properties within it, included several key Northwestern University properties such as its health center, a dormitory and a gymnasium.

The university wanted more control over its properties, and Zweig took on the case. The matter eventually went before famed mediator Abe Mikva, a thrill for Zweig.



Zweig performs a challenging shoulder stand in acro-yoga gym with Keely Knack, owner of MyTrainer gym.

"That was a great opportunity to see a really skilled negotiator in action," Zweig says. "It was something to see the way Mikva approached the issues."

The result? The university and city settled the case. Several of Northwestern University's buildings were carved out of the historic district, something that pleased Zweig's clients.

Student housing and helping universities clear the legal hurdles of adding new residence halls to their campuses has become a key concentration of Zweig's practice. Student housing is an important asset for universities, which use their residence halls to attract students who might otherwise attend other schools.

The challenge is in finding the dollars for these residence halls, especially during times in which state funds are scarce. It's why so many universities today are turning to public-private partnerships to fund the construction of these key facilities.

"So many of the state schools are constrained by the state's budget," Zweig says. "The opportunity today is for schools to get their new housing through public-private partnerships."

Under these partnerships, schools keep the land on which their residence halls are built. But a tax-exempt entity ground-leases it. A private developer then comes in and builds the residence halls. In some cases, these developers also manage the buildings after construction ends. At the end of the ground lease, the land and building revert back to the university.

Zweig's innovative approach to law, though, doesn't end with public-private partnerships. He and his university clients often rely on creative thinking to close their most important projects.

There was the work Zweig did for Loyola

University, for instance, at its Water Tower Campus in Chicago. Zweig structured an air-rights lease of the property at Rush and Pearson streets in Chicago's Gold Coast neighborhood. Loyola would retain the first three floors of the building for classroom space. The remaining 50 floors are reserved for The Clare, a senior living community.

"Loyola wanted to maintain a streetscape presence in that area," Zweig says. "The university also wanted to maximize the value of a very valuable piece of real estate in the Gold Coast. The deal we structured allowed them to meet those goals."

HARD WORK, HUMILITY, PERSISTENCE

John Alsterda, campus counsel for the University of Illinois—Chicago, has also worked with Zweig frequently during his career. Alsterda says few attorneys come armed with the legal knowledge Zweig possesses.

"He has an encyclopedic knowledge of laws and regulations as they apply to higher education," Alsterda says. "He brings tremendous value to an in-house attorney at any large public university."

Alsterda says Zweig's experience sets him apart from other attorneys. Zweig has represented several universities, both public and private, in a wide variety of issues.

That has helped Zweig build up a wealth of knowledge and experience.

"We live and operate and provide legal advice in a unique environment," Alsterda says. "That's in particular because of our status as a public university. There is a whole overlay of regulatory and legal matters. You can go to any large firm in a metropolitan area like Chicago and ask, 'Do you have someone who knows real estate and employment law?' They'll have some people. But what sets Howard apart is that he brings the whole package in one phone call."

Zweig also understands the value of referring questions to other legal experts. Alsterda says that if Zweig doesn't know the answer to a question, he has a network of quality contacts and referrals at his disposal.

"If we need a lawyer in Russia or Great Britain, Howard can help us find one," Alsterda says. "We know that we can start every process with someone like Howard."

Succeeding in this area of law takes an incredible attention to detail, hard work and the ability to maintain a steady stream of clients.

Zweig says there is no secret formula for building a roster of clients. That comes down to hard work and results. If you work hard for your clients and you communicate with them throughout a case, they will appreciate your efforts. And if you deliver winning results to

them, too? That's a certain way to guarantee that these clients will return when they face their next legal issue.

It's also a way to earn referrals. Zweig has built his client base through plenty of recommendations from past clients. These clients aren't shy about referring new business to Zweig because they know that this education specialist will deliver top-quality service to anyone they send his way.

"I believe in hard work, humility and persistence," Zweig says. "Those are the traits that are most important in this field. Those are the traits that get you through the long hours and all the challenges."

One can't work all the time, though, even someone with a career as busy as Zweig's. Zweig says he is now going through a bit of a Renaissance period. This includes enjoying a renewed focus on health and fitness. He has become, again in his own words, a bit of a yoga nut.

Zweig says he was inspired in part to focus on his health by a quote he read on the back of a cereal box: "You are never too old to set another goal or dream another dream."

That inspirational quote actually comes from C.S. Lewis, and it serves as a motivator for Zweig today.

"That's the way I like to approach things," Zweig says. "It's about finding new challenges every day, whether it's a new yoga move or a new project. It's important to keep challenging yourself. This approach also led me to Taft to work to build a strong education industry practice."

And as for further inspiration? Zweig draws much of it from his family. His wife has been a long-time partner as he has built his career, and he is forever indebted to her. And his children, a son and daughter, are a constant source of inspiration.

Zweig's daughter is a lawyer, too. And she has overcome significant health issues while building her successful career.

"My daughter, in my mind, defines courage and persistence and the heart to fight back," Zweig says. "She keeps fighting the fight. She is a true inspiration to me."

And Zweig's son? He earned his doctorate in cognitive neuroscience and runs his own consulting business focusing on data analysis and artificial intelligence.

"He teaches me something new every time I talk to him," Zweig says. "He explains what he's working on to me, and I have no idea what he is talking about. He is always looking for new challenges. It's fun to see both of my children really growing up and becoming wonderful, productive adults." ■