

Alisa N. Carr



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Alisa N. Carr is a Partner with Leech Tishman and a member of the Litigation and Real Estate Practice Groups, as well as the Energy Group. She is based in the Pittsburgh office.

Alisa is both an experienced litigator and a real estate transaction lawyer with a track record of successful results for clients. Alisa focuses her practice on litigation, arbitration and mediation before federal and state courts and administrative and regulatory agencies with an emphasis on real estate, ADA Title III and FHA defense, land use and, representation of commercial and residential landlords.

Alisa has assisted clients with a broad range of issues, including:

Litigation

- Obtaining successful settlements, verdicts or summary disposition in actions asserting breach of contract, negligence, fraud, premises liability, declaratory judgment, insurance coverage, agency, zoning, land use, landlord/tenant, ADA Title III, commercial and residential mortgage foreclosures, construction, eminent domain, receiverships,

easements, quiet title, ejectment, boundary disputes, title insurance and title claims.

Americans with Disabilities Act (“ADA”) Title III Counseling and Defense

- Representation of public accommodations in preventive counseling and defense of ADA Title III architectural barrier, website, mobile application and auxiliary aid actions. Representative clients include:
 - Consumer electronics companies
 - Convenience stores
 - E-commerce companies
 - Financial institutions
 - International, national and regional restaurants
 - Online education providers
 - Property management companies
 - Real estate brokerage firms
 - REITS and shopping mall owners
 - Retail companies (clothing, shoes, furniture, general merchandise, luxury goods)
- Analysis and resolution of pre-litigation demand letters, EOV’s and pre-litigation claim notices, preventing litigation.
- Collaboration with a network of engineers, architects and ADA professionals to review public accommodations, including websites and physical properties, to implement strategies to identify and reduce the risk of access litigation.
- Developing policies, procedures, best practices and checklists to address ADA compliance for use in:
 - Due diligence during acquisition of a public accommodation
 - Risk management and litigation avoidance
 - Operations and building maintenance
 - Managing obligations between commercial landlords and tenants
 - Construction and remodeling
- On-site training, seminars, webinars and presentations addressing clients’ industry/property specific accessibility concerns.

Representations of Commercial and Residential Landlords

- Lease preparation, management of tenant issues, Fair Housing Act and ADA Title III defense.
- Working with property managers, staff and property owners to establish and implement internal procedures and policies to minimize financial risks and promote FHA compliance.
- Arbitration, mediation and trial of claims regarding tenant eviction and possession, including unpaid rent, property damage, breach of lease terms, on site criminal activity, hazardous activities, unauthorized pets, comfort animals and abandonment of property.
- Defense of property owners with respect to claims asserted by tenants and third parties in both civil and criminal courts, health departments, the Public Utility Commission and before City and County housing agencies regarding eviction, security deposits, personal property, unfair trade practices, utilities, inhabitability, access, discrimination and retaliation.
- Attendance at grievance conferences for owners of public housing.

Real Estate and Energy

- Representation of exploration and production companies, mineral management organizations and landowners in oil and gas lease preparation and negotiation, surface use agreements, pipeline rights of way, easements and compensation for structures ancillary to operations and transportation, landowner relations, title review and the acquisition, assignment and transfer of mineral interests and leases, disputes concerning access to leased land, injunctions, easements and rights of way, title defense, title claims, surface coal permits, subsurface oil and gas ownership rights, DOGA Petitions, surface and subsurface title review.
- Negotiation, preparation and review of leases, permanent and construction easements, rights of way, deeds and assignments.
- Representation of property owners in assessment appeals, PILOT Agreements, PURTA and property tax exemption hearings.

Academics

J.D., University of Pittsburgh School of Law (1989)
B.A., Miami University (1986)

Admissions

Pennsylvania
U.S. Supreme Court
U.S. Court of Appeals, Third Circuit
U.S. Court of Appeals, Sixth Circuit
U.S. Court of Appeals, Eighth Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, Federal Circuit
U.S. District Court, Middle District of Pennsylvania
U.S. District Court, Western District of Pennsylvania
Various state and federal courts *pro hac vice*

Professional Memberships

Allegheny County Bar Association
International Council of Shopping Centers (ICSC)
Pennsylvania (and National) Apartment Association
Third Circuit Court of Appeals Bar Association
Women in Energy

Recent Publications & Presentations

- "Understanding Your Client's Liability Under Title III of The Americans with Disabilities Act and The Unruh Act," *Western San Bernadino County Bar Association Bar Bulletin*, December 2020 (Co-Authors: Alisa N. Carr and Alan M. Kindred)
- ADA Title III Strategies all Landlords and Tenants Need to Know; ICSC US Shopping Center Law Conference (Author/ Speaker, 2019)
- I missed What? The Ongoing Saga of ADA Challenges and Claims; ICSC US Shopping Center Law Conference (Author/Speaker, 2018)
- Making the ADA Accessible for Landlords and Tenants; ICSC US Shopping Center Law Conference (Author/ Speaker, 2017)
- Fundamentals of the Fair Housing Act for Property Managers and Leasing Agents (Author/Speaker, 2019)
- "Does Your Business Have a Legal Obligation to Accept Customers with Emotional Support (Comfort) Animals? (Author, 2019)
- Why Your Website Needs to be ADA Compliant; Texas Association of Realtors Annual Conference; Florida Association of Realtors Annual Conference (Author/ Speaker, 2017)
- "District Court Concludes Plaintiffs Have Met Their Preliminary Burden That a Website Is A Place of Public Accommodation," *Leech Tishman Client Alert* (Author, 2017)
- "New Website Accessibility Lawsuits Filed in Pittsburgh As Courts Offer Conflicting Analysis" (Author, 2017)
- ADA Accessibility in the Built Environment (Author/ Speaker, 2016)
- ADA Title III and the Fair Housing Act; a review of recent case law; PA Continuing Legal Education seminar (Speaker/ Author, 2016)
- Is Your Website ADA Compliant?; National Association of Realtors, Mid-Year and Annual Legislative Conferences

- (Author/Speaker, 2016) and LTFL client webinar
- “Does your Parking Lot Pose a Risk to Your Business? A Primer on ADA’s Revised Accessibility Requirements,” *Foodservice East*, September 15, 2016 (Author)
 - “Real estate firms face legal challenges over websites’ ADA compliance,” May 11, 2016, *Chicago Tribune* article by Kenneth R. Harney (Interviewed and quoted)
 - “Advocates for the disabled find fault in many realty websites,” May 11, 2016, *Washington Post* article by Kenneth R. Harney (Interviewed and quoted)
 - Pipeline Easements and Rights of Way; Kinetic seminar (Speaker, 2015)
 - Oil and Gas Interests, Assets and Issues for Family Lawyers; Seminar, Allegheny County Bar Association (Author/Speaker, 2015)
 - Fundamentals of Horizontal Fracking and Land Use Issues; client in-house seminar (2015)
 - Various client alerts concerning the Fair Housing Act, service animals, comfort animals and management of tenants
 - Various client alerts concerning ADA Title III litigation and risk analysis
 - Various client alerts concerning oil and gas development, easements and property ownership

Community Involvement

Boardlink - Duquesne University Non-Profit Institute
 (Providing free legal services to local non-profits)
 Community College of Allegheny County (Guest Teacher)
 CORO - Women in Leadership, Graduate Class XII
 Duquesne University Non - Profit Leadership Academy;
 Graduate
 Executive Service Corps of Western Pennsylvania
 Pittsburgh Cultural Trust - Pittsburgh International Children’s
 Theater (Member, Advisory Board of Directors)
 Pittsburgh Public Schools Magnet School Program (Guest
 Speaker)
 United Way (Member, Grant Assessment Team)
 University of Pittsburgh School of Law Moot Court (Judge)