



FAIRWAY AMERICA

Title: **General Counsel**
Classification: Full-Time, Exempt
Department: Management
Reports to: President
Direct Reports: 0-2
Location: Portland, Oregon
Salary Range: Negotiable

HELP ME TAKE FAIRWAY AMERICA TO THE NEXT LEVEL!

"As the President of Fairway America, I am looking for an aggressive, energetic and articulate leader to add to our team as the company's General Counsel. Working side by side with myself, our VP of Sales & Marketing, and CEO, this key position will provide leadership, advice, recommendations and direction in all critical legal aspects of our business including real estate lending and collections, foreclosures and workouts, licensing, human resources, securities issues, fund raising, legal documentation (loan, employment, business contracts, etc.). As part of our expected growth in loan originations, capital raising, geographic reach as well as the expected added complexity and scope of our growth plans, we need an A player attorney to handle the critical legal aspects of our business and to provide excellent and timely legal and business advice and counsel to senior management."

Matt Burk, President

At Fairway America, we are committed to our **core values**:

Focused, Driven and Committed
Accountable and Responsible
Interdependence and Collaboration
Respect, Trust and Integrity
Winning Attitudes
Approachable, Open Communication
You Make Fairway Fun!

These values are alive at our company and we live them every day while pursuing our purpose of *"Honorably doing worthwhile deals that create value, wealth, dignity and superior returns for all parties involved"*. If a deal is not worthwhile for everyone (our borrowers, investors, referral sources, and Fairway America) we'd rather not do it at all.

For the A-player looking for something special and who can answer "yes" to all of the following questions, this is the opportunity for you.

- Are you an intelligent and hard working attorney but not especially excited about climbing the law firm ladder?
- Would you prefer to be able to *really* understand your client's business needs and objectives by being a part of the mix instead of having to look at everything through a law firm lens and not be able to get the full picture?

- Do you love legal concepts but hate office politics?
- Do you command the respect, loyalty and commitment for those you lead through moral authority rather than formal authority?
- Are you able to lead and persuade others, including senior management, with your opinions and judgments?
- Do you have a legal mind and yet an entrepreneurial spirit?
- Are you thorough, complete and accurate yet willing to take intelligent and calculated business risks?
- Are you seeking meaning and purpose and looking to make a real difference in your career?
- Do you enjoy the results of your decisions being obvious to everyone?
- Are you seeking an atmosphere of open and direct communication, clear and mutually established priorities and expectations, and a culture of accountability?
- Are you professional and results driven?
- Do you exceed people's expectations of you on a regular basis?
- Do you have a passion for doing a job well for its own sake?
- Do you prefer to have full accountability for your judgment and decisions?

If you answered "yes" to these questions, we want to meet you!

Our Company

Fairway America is a successful locally owned and privately funded commercial real estate lending and investment firm. Through a simplified and streamlined process, Fairway America provides financing solutions for people who are unable or unwilling to get financed by more traditional lending sources. Everyday, Fairway America helps borrowers solve difficult problems, meet pressing deadlines, or take advantage of excellent opportunities. While assisting these borrowers, we also enable our investors to earn above average returns they are unable to get elsewhere. As many brokers and lenders have gone out of business or are struggling mightily, our conservative lending approach has enabled us to weather this storm and positioned us to take advantage of unprecedented market opportunities while helping people who are otherwise unable to locate financing.

The Position

Fairway America's General Counsel position will be a key member of our operations teams and work closely with Senior Management. The General Counsel will provide research, advice and recommendations on a variety of business critical issues including drafting loan and real estate documentation, reviewing title and other real estate contracts for key issues and accuracy, structuring Private Placements, licensing, compliance, Human Resources and Employment policies, and others. This influential position will be relied upon heavily to provide solid judgment, accurate opinions, and to consistently minimize the companies' legal risks while maximizing its opportunities.

Responsibilities

- Primary accountability for any and all legal issues/aspects of the day to day operations of the company.
- Work closely with Senior Management on growth strategies, tactics and execution.
- Ensure the quality and timeliness of legal advice to Senior Management on a range of legal and regulatory matters.

- Review and/or draft all loan documents for new loans, modifications, workouts, and foreclosures. Stay up to date on related lending laws and provide high quality loan documentation at all times.
- Handle legal aspects of the company's loan portfolio foreclosures, workouts and REOs (with support from loan servicing manager and underwriting personnel).
- Review and advise management concerning all significant business agreements and contracts such as insurance contracts, leases, financing agreements, and others.
- Advise and implement on HR policies and employment contracts.
- Draft all other necessary legal documents including employment contracts, business contracts and any other relevant legal agreements.
- Provide research on key business issues. If able, handle the legal work internally once we understand what is involved. If the issue is too specialized, locate, interview, hire and manage outside legal counsel as necessary.
- Manage use of outside counsel as necessary, ensuring effectiveness, optimizing value added and maintaining cost efficiency.

Qualifications

At Fairway America, your values, abilities, and demonstrable track record of success are more important than direct experience. That being said, an ideal candidate would have the following:

- Bachelors Degree
- JD from an accredited University and Bar admission in Oregon. Bar admission in WA and CA would be a plus.
- 5 years minimum as practicing attorney with experience in related legal areas.
- Solid judgment, business acumen, and ability to structure solutions with minimum legal and practical business risk.
- Sound understanding of real estate finance.
- Strong analytic, management and organization skills.
- Excellent computer skills, especially in MS Office programs.
- Demonstrable track record of success in related capacities.
- Ability to effectively manage multiple priorities.
- Exceptional work ethic and desire to succeed.
- Ability to work directly with and gain confidence of Senior Management.
- Excellent oral and written communication skills a must.

Benefits

Fairway America is committed to maintaining a diverse, motivated, positive work environment full of great people who share, demonstrate, and live our core values. Take pride in working for a company that lives its core values, vision and mission/purpose and continually provides tangible value and benefit to its employees, brokers, borrowers and investors. Our benefits include:

- Significant responsibility and leadership
- Competitive Salary
- Profit sharing bonuses (no waiting period)
- Medical & Dental Coverage
- Matching 401K Plan
- Cafeteria plan (section 125 plan)
- Short term disability policy

- Company paid ongoing training and personal development
- Vacation, personal time off and company paid holidays
- Outstanding working environment
- Family friendly atmosphere and culture
- Opportunity to play a hugely significant part in a growth company
- Enjoyment of working with a committed team of "A players"

Apply

If you feel you are an "A player", are up for our challenging, demanding, and rigorous hiring process, and would like to join a dynamic, growing company, please begin your application process by going to our career center at:

<http://www.fairwayamerica.com/jobopp23.php>

Phone calls are not accepted.