

Kimberly S. Tague

MEMBER

Kimberly Tague assists clients with real estate transactional matters, including sales, acquisition, development, financing, leasing, zoning, land use, easements, title issues and clearance, licenses, and air space transfers. She also advises on real estate tax assessment and real estate tax exemption matters, including valuation appeals and property tax exemption applications, hearings, and appeals. Kimberly has extensive experience with homeowners' associations assisting with the development, creation, management, and disputes associated with planned communities and condominiums and advising associations with governance challenges, elections, collections matters and disputes with the developer and neighbor to neighbor disputes. Kim is an experienced trial attorney and has litigated cases for clients with real estate litigation matters, including condominium and homeowners' association disputes, title matters, boundary disputes, construction claims, eminent domain cases, and real estate development disputes.

REPRESENTATIVE MATTERS

- Successfully defended real estate developers and successfully prosecuted cases on behalf of homeowners' associations against developers in commercial litigation regarding condominiums and planned communities in disputes about common area assessments, real estate taxes, turnover of control of the association and construction claims related to common areas.
- Successfully defended condominium developer in three-week jury trial and defeated a claim for more than $6m for alleged common area construction defects.
- Successfully represented for profit and nonprofit entities with sales and acquisitions of facilities, including complicated acquisitions involving dozens of individual property acquisitions, property swaps and lot consolidations.
- Successfully obtained jury verdict in 100% of the amount sought on behalf of a home purchaser for consumer claims related to a national homebuilders' misrepresentations and poor construction and successfully petitioned the court to then triple the verdict.
- Represent both for profit and nonprofit entities with real estate development matters including negotiation of finalization or termination of URA restrictions and termination or modification of existing deed restrictions.
- Represented commercial property developer in the successful

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PRACTICE AREAS:

Real Estate

Land Use

Litigation

Nonprofits

Hospitality

Data Centers

STATE ADMISSIONS:

Pennsylvania

COURT ADMISSIONS:

U.S. District Court for the Western District of Pennsylvania

U.S. Court of Appeals for the Third Circuit

Supreme Court of the United States

EDUCATION:

J.D., Thomas R. Kline School of Law of Duquesne University, 2004

B.A., University of Pittsburgh, 2001

development of an urban mixed use commercial building project, including acquisition of land, leasing, financing, urban redevelopment, zoning and permitting matters.

- Represented non-profit entities in the acquisition of more than $32m of properties throughout Western Pennsylvania including development and planning, financing both traditional and bond financing, land use issues and challenges, leasing, construction, and title insurance.
- Represented large national religious non-profit organization in restructuring its significant real estate portfolio to effectuate large scale lease project with a regional health care provider.
- Represented numerous landlords and tenants in the leasing of office buildings, shopping centers, retail, warehouse and manufacturing facilities and successfully negotiated long term leases.
- Represented both commercial landlords and tenants in lease buy outs and agreements regarding the termination or abandonment of a commercial lease.
- Represented both landlords and tenants in commercial landlord/tenant disputes and in litigation between commercial landlords and tenants.
- Successfully represented numerous property owners, both commercial and residential, in eminent domain negotiations, litigation and business relocation and successfully obtained a $1.35m jury verdict against the condemnor for a residential taking.
- Represented property owners in real estate tax assessment and exemption appeals in cases involving major shopping centers, stand-alone commercial and industrial properties, public property and purely public charities resulting in significant financial savings.
- Successfully represented planned community association in the negotiation of a complex mutual property exchange and facilitated turnover of common areas with a resort developer.
- Represented property owners in review and negotiation of various easements, including restrictive covenants and conservation easements and in litigation regarding use and existence of easements.
- Successfully represented property owners in litigation with oil & gas companies regarding production from existing wells and in disputes regarding unitization of the land owners' properties resulting in favorable settlements for the property owners.

PROFESSIONAL AFFILIATIONS

- Pennsylvania Bar Association – Civil Litigation Council, Professional Excellence Award Committee Member
- Allegheny County Bar Association – Elected member of the Judiciary Committee, Real Property Section and Civil Litigation Section member

COMMUNITY INVOLVEMENT

- Community Associations Institute (CAI) Keystone Chapter – Member of the Legislative Action Committee and the Communications and Content Committee
- Thomas R. Kline School of Law of Duquesne University Law Alumni Association – Past President, Currently serving on the Nominating Committee

AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2024 – 2027 for Real Estate Law
- Selected for inclusion in Pennsylvania Super Lawyers, Real Estate 2020 – 2023
- Selected for inclusion in Pennsylvania Rising Stars, Real Estate 2012 -2018

NEWS AND INSIGHTS

PUBLICATIONS

- "Who is exempt from real estate taxes? Now that is the question," ACBA Lawyers Journal, October 2023.
- "After Surfside Collapse, CAI Releases Updated Reserve Study Standards," CAI Keystone's Community Assets Magazine, July/August 2023.

SPEAKING ENGAGEMENTS

- "Allegheny County Assessment Update" presented at Eckert Seamans' 2026 Joel Lennen Legal Primer, August 6, 2026.
- "Life Cycle of a Real Estate Transaction," CLE presentation to the Allegheny County Bar Association Real Property Section and Young Lawyers Division, June 2024.
- "Transparent Financial Reporting and Accounting and Collection of Delinquent Assessments," presented for the Community Associations Institute – Keystone Chapter, May 2024.
- "Hot Topics in Civil Litigation," panel presenter for the PBA Civil Litigation Section's Annual Retreat, April 2024.
- "Deciphering the Future Commercial Real Estate Markets," co-presented at the Eckert Seamans' Joel Lennen Legal Primer, August 2023.