

Carol Simona Rothenfluh

MLaw

Attorney at Law

Real Estate Law Tenancy Law Construction Law

▪ German ▪ English ▪ French

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Practice areas

- Real Estate Law
- Land Register Law
- Tenancy Law
- Data Protection Law
- Construction Law
- Contract Law
- Planning

Education

- University of Fribourg, MLaw, with addition bilingual, 2011
- Admission to the bar, Zurich 2014

Practice

Internships at a notary in public and law firm in Brig (Canton of Valais); legal clerkship with the Court of the Canton of Valais (Sion); internship at a global law firm in Zurich; legal trainee at the legal services department of land registration and geomatics in the Canton of Valais; working several years as Attorney at Law with a global law firm in Zürich; since 2017 Attorney-at-law and since 2022 Partner at SwissLegal (Zürich) AG

Further information

Lecturer WEKA Business Media AG for the following practical seminars:

- Tenancy and contract law aspects of conversion and refurbishment
- Tenancy law for real estate professionals

Lecturer at the ZHAW School of Management and Law for the MBA Real Estate Management

Recent Cases

- Advising an international investment company in connection with the construction of its new headquarters, whereby the client was assisted in the acquisition of land, in connection with the land development and zoning, and finally in the planning and construction of the headquarters.
- Advising and representing an international fashion company as tenant on the expansion of its store location in German- and French-speaking Switzerland.
- Advising a seller and total contractor in the development, construction and sale of apartment buildings and rental flats.
- Advising a tenant on the conclusion of a triple-net lease.
- Advising the buyer in the context of a sale-and-lease-back transaction of a hotel management school in Western Switzerland (incl. debt financing).
- Regularly advising buyers/sellers on property acquisition transactions in the form of asset deals, share deals or real estate portfolios in various Swiss cantons.
- Advising on the conclusion of commercial/industrial leases.
- Representing clients in court in various tenancy disputes.

Publications

- Orts- und quartierübliche Vergleichsmiete
Bau- und Immobilienrecht Newsletter, Ausgabe 06 / Juni, WEKA, 2024
- Baurecht: Ein Haus auf fremdem Boden – Was ist zu beachten?
Bau & Immo aktuell, Newsletter 15.08., WEKA, 2023
- Quantifizierung der « hinreichenden Sicherheit » gemäss Art. 839 Abs. 3 ZGB bezüglich Verzugszinse
Urteilsbesprechung zu BGer 5A_323/2022 vom 27. Oktober 2022, Newsletter, Newsletter, immodroit.ch, 2022
- Bauvorhaben und Dienstbarkeiten – Möglichkeiten und Grenzen
Bau- und Immobilienrecht Newsletter, Ausgabe 03 / März, WEKA, 2022
- Mondaq – Data Privacy Comparative Guide, Switzerland
Mondaq, 2022
- Überlastete Mitarbeiter – Wer haftet für ein Burn-out?
Rechtssicher, Ausgabe 06 / Juni, WEKA, 2021
- Vermieterseitige Umbauten: Welche Rechte und Pflichten haben Mieter und Vermieter?
Bau- und Immobilienrecht Newsletter, Ausgabe 03 / März, WEKA, 2021
- Kommentierung zu § 47 Rechtsstellung des einzelnen Mitglieds der Geschäftsführung
Handbuch Schweizer GmbH-Recht, Helbing & Lichtenhahn, Basel, 2019
- Kommentar zu Art. 2, 19 und 55 FusG
Stämpfli Handkommentar – Fusionsgesetz, 2. Auflage, Stämpfli Verlag, 2015