



Matthew R. Hansen

 Partner

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“I have spent my career representing condemnors and condemnees in valuation disputes related to public improvement projects, providing me with unique perspectives and insights that have resulted in favorable outcomes for our clients, without need for protracted litigation and undue costs.”

Matt Hansen leads Miller Nash’s right of way/ eminent domain team and is a member of the firm’s real estate development department. Matt has spent his career focusing on all facets of eminent domain law, from consulting with agency clients early in the design process to pre-litigation negotiations, condemnation litigation, trials, and appeals. As a proven trial attorney, Matt has considerable experience representing municipal and private property owner clients in mediations, arbitrations, and in trials, including a substantial number of condemnation jury trials. Matt has litigated cases throughout Washington State, and has successfully argued cases before the Washington State Court of Appeals. He has led the majority of cases to settlement before they reach trial, but in those instances where trial became necessary, Matt and his team have achieved favorable jury verdicts for their clients in some the region’s largest and most complex valuation disputes.

Matt is a frequent speaker on legal issues involving eminent domain law and has served as author and editor for a number of state and national legal treaties on the topic. He is a past president of the Puget Sound Chapter of the International Right of Way Association and has served the Association as chair of its International Ethics Committee. Matt has been selected every year since 2013 for inclusion as a Washington Super Lawyer.

In addition to his significant experience in condemnation law, Matt is also an active real estate litigator, representing and counseling clients in all aspects of real property litigation, commercial litigation, and commercial landlord-tenant law—including lease negotiations, disputes, and unlawful detainer actions.

Education

J.D., Seattle University
School of Law, 2004

B.A., Central Washington
University, law and justice,
2000

Bar Admissions

Washington, 2005

Professional Activities

- Miller Nash LLP, Executive Committee Member
- International Right of Way Association
 - International Ethics Committee, Past Chair
 - Puget Sound Chapter, Past President
- King County Bar Association, Member
- Washington State Bar Association
 - Litigation Section, Member
- American Bar Association
 - Condemnation, Zoning and Land Use Litigation Committee, Washington State Liaison
 - Litigation Section, Member
- Housing Justice Project, King County Bar Association, Volunteer Attorney

Representative Experience

Right of Way/Eminent Domain

- Obtained a unanimous jury verdict matching our client's valuation evidence exactly in a multi-week, 30-party, 100-percent virtual condemnation trial. The local transit authority client needed to acquire the right to amend restrictive covenants to allow it to construct and operate its light rail project and the total valuation dispute was more than \$5.5 million in just compensation. (12-Person Jury Trial)
- Successfully tried one of the first social-distanced pandemic jury trials in Washington over the condemnation of several permanent and temporary rights abutting the building frontage of one of the region's largest airlines to allow the local transit authority to construct and operate its light rail project. The parties' valuations were hundreds of thousands of dollars apart and the jury returned a verdict in our client's favor. (12-Person Jury Trial)
- Represented regional transit agency in a multi-day condemnation trial to acquire property rights needed to construct its light rail construction project. The trial involved a dispute over the highest and best use of the property and the court awarded just compensation matching the transit agency's valuation evidence of more than \$1 million less than owner's just compensation. No fees or costs awarded to property owner. (Bench Trial)
- Represented transit agency in a multi-week condemnation trial. The trial involved a dispute over whether or not the transit agency's light rail station specially benefited the property due to its proximity and a recent upzone of the property. The jury determined the property was specially benefitted by light rail and returned verdict matching the transit agency's valuation evidence and \$1.4 million less than the owner's valuation. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented transit agency in a multi-week condemnation trial. The trial involved a dispute over whether or not the transit agency's light rail station specially benefited the adjacent property due to proximity. The jury determined the property was specially benefitted by light rail and returned a verdict that did not exceed the transit agency's pretrial settlement offer. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented local transit authority in condemnation trial for light rail station project. A petitioner's verdict of more than \$9 million less than owner's just compensation evidence was awarded by the court. No fees or costs awarded to property owner. (Bench Trial)
- Represented local transit authority in condemnation trial for light rail expansion project. Jury returned verdict that did not exceed the transit authority's pretrial settlement offer and ultimately offset the just compensation award for a special benefits credit. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented local transit authority in condemnation trial for light rail station project. A just compensation award of more than \$3 million less than owner's just compensation evidence was awarded by the court. No fees or costs awarded to property owner. (Bench Trial)

- Represented local transit authority in condemnation trial for light rail expansion project. A just compensation award for the same amount as petitioner's valuation evidence was granted by the court. No fees or costs awarded to property owner. (Bench Trial)
- Represented local transit authority in three-week condemnation trial for light rail expansion project. Jury returned verdict for nearly \$1.5 million less than property owner's just compensation evidence. (12-Person Jury Trial)
- Represented local transit authority in multi-week condemnation trial for light rail expansion project. Jury returned verdict that did not exceed the transit authority's pretrial settlement offer. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented local transit authority in multi-week condemnation trial for light rail expansion project. Jury returned verdict in less than two hours for an award that did not exceed the transit authority's pretrial settlement offer. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented local transit authority in multi-week condemnation trial for commuter rail expansion project. Property owner argued just compensation of approximately \$3 million whereas transit authority argued just compensation of \$46,000. Jury verdict of \$46,000. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Served as lead eminent domain counsel representing local fire district in condemnation action for fire station expansion project. Property owner argued just compensation of \$450,000, whereas fire district argued just compensation of \$275,000. Jury verdict of \$283,000. No fees or costs awarded to property owner. (6-Person Jury Trial)
- Represented local transit authority in multi-week condemnation trial for commuter rail expansion project. Property owner argued just compensation of \$16.6+ million. Jury returned verdict of \$11.3 million. No fees or costs awarded to property owner. (12-Person Jury Trial)
- Represented property owner in multi-week condemnation trial for city roadway expansion project. Property owner awarded just compensation of nearly four times the amount argued by the city's expert appraiser. Property owner was awarded fees and costs in defending action. (12-Person Jury Trial)
- Lead eminent domain counsel representing local transit authority in condemnation action for light rail project. Property owner argued just compensation of \$650,000, whereas transit authority presented evidence of \$75,000. Court awarded just compensation of \$77,200. No fees or costs awarded to property owner. (Bench Trial)
- Represented local transit authority in multi-week condemnation trial for light rail station project. The total just compensation awarded to the property owner was less than transit authority's pre-trial settlement offer. No fees or costs were awarded to property owner. (12-Person Jury Trial)
- Represented landlord in an eviction action related to residential property in Snohomish County. Defendants resisted action and counterclaimed on the grounds that they had not breached the lease and had properly exercised an option to purchase the subject property. The court awarded judgment in favor of landlord and dismissed all claims filed by defendants. Plaintiff was also awarded all of his attorney fees and court costs. (Bench Trial)
- Represented local transit authority in condemnation trial for light rail expansion project. Property owner argued just compensation of more than \$505,000. Court awarded just compensation of \$283,000. No fees or costs were awarded to property owner. (Bench Trial)
- Represented a property owner who had several acres of prime residential subdivision land condemned by county. The verdict exceeded the County's best pre-trial offer by more than \$3,000,000. (Bench Trial)
- Represented a major forest products manufacturer in an eminent domain action. Manufacturer held a leasehold interest in property along the Blair Waterway at the Port of Tacoma. The highest offer before trial was \$5 million. Our client recovered \$12 million. (12-Person Jury)

Publications

- “Part Eighteen: Eminent Domain,” King County Bar Association, *Washington Lawyers Practice Manual*, coauthor & coeditor (2006-2020 edits, 2004 original materials)
- “Volume 4, Chapter 13: Eminent Domain,” Washington State Bar Association, *Washington Real Property Deskbook Series: Causes of Action, Taxation, Regulation*, editor (2015)
- “Damage to Separate Parcels: Unity of Use,” Matthew Bender, *Nichols on Eminent Domain*, coeditor (2010)
- “The Law of Eminent Domain,” American Bar Association, *Washington State Section, Condemnation, Zoning & Land Use Committee* (2010 edits, 2006 original materials)

Presentations

- “Valuing Encumbrances – Issues to Watch for, Grey Areas in the Law, and Potential Pitfalls to Avoid,” The Seminar Group, Cutting-Edge Issues in Condemnation (Nov. 2022)
- “Legal Hot Topic,” International Right of Way Association, Right-of-Way Symposium (Oct. 2022)
- “Condemnation 101 for the Condemnor,” American Public Works Association, Washington Chapter Fall Conference (Oct. 2022)
- “Lessons Learned from Virtual Eminent Domain Trials,” International Right of Way Association Boise Chapter (Mar. 2022)
- “Valuation of Restrictive Covenants: A Case Study,” International Right of Way Association Puget Sound Chapter, monthly membership program (Sept. 2021)
- “Participating in the Condemnation Process,” HalfMoon Education Inc., Oregon Easements, Rights-of-Way and Eminent Domain (Aug. 2021)
- “Eminent Domain Jury Trials During the Pandemic,” Pendulum Land Podcast (Feb. 2021)
- “Floating Easements,” The Seminar Group, Cutting-Edge Issues in Condemnation (Sept. 2020)
- “Don’t Be Fooled: What Right-of-Way Professionals Should Know About Private Covenants, Use Restrictions, Special Benefits, and Project Influence,” International Right of Way Association, Region 7 Fall Forum (Sept. 2019)
- “Tales from the Trenches: What Condemnors Should Know About Private Covenants and Use Restrictions,” International Right of Way Association, International Education Conference (June 2019)
- “Tales from the Trial Trenches: What Condemnors Should Know About Private Covenants, Use Restrictions, and Project Influence,” International Right of Way Association Puget Sound Chapter, monthly membership program (May 2019)
- “Participating in the Condemnation Process,” HalfMoon Education, Inc., Washington Easements, Rights-of-Way, and Eminent Domain (Feb. 2018)
- “Legal Issues in Right of Way,” International Right of Way Association, Chapter 3 Education Symposium (Oct. 2017)
- “International Right of Way Association Chapter 4 Eminent Domain Mock Trial,” Miller Nash Graham & Dunn (Sept. 2017)
- “Property Acquisition and Condemnation,” Washington State Transit Association, Legal Affairs Roundtable (Sept. 2017)
- “Post-Judgment Process,” The Seminar Group, Eminent Domain Seminar (May 2017)
- “Skills of Expert Testimony,” International Right of Way Association, Education Course (May 2017)
- “Principles of Real Estate Law,” International Right of Way Association, Education Course (Nov. 2016)
- “Legal Ramifications from Modifications to Take During Trial,” International Right of Way Association, Puget Sound Chapter Fall Seminar (Nov. 2016)
- “Condemnation Process,” International Right of Way Association, Chapter 3 Education Symposium, panelist (Oct. 2016)

- “Eminent Domain Law Basics for the Right of Way Professional,” International Right of Way Association, Education Course (Oct. 2016)
- “Eminent Domain Law Basics for the Right of Way Professional,” International Right of Way Association, Education Course (July 2016)
- “Ethics for IRWA Leaders,” International Right of Way Association, International Education Conference (June 2016)
- “Shaping the Battlefield in Condemnation Trials—Motions in Limine in Eminent Domain Proceedings,” The Seminar Group, Eminent Domain Conference (May 2016)
- “Navigating Generational Differences in the Professional Environment,” International Right of Way Association, Puget Sound Chapter Meeting (Feb. 2016)
- “Eminent Domain Law Basics for the Right of Way Professional,” International Right of Way Association, Education Course (Jan. 2016)
- “At Trial—What Can Appraisers Do to Help the Attorney and the Client,” Appraisal Institute, Fall Real Estate Conference (Oct. 2015)
- “Presenting and Defending Your Expert Opinion at Trial,” International Right of Way Association, International Education Conference (June 2015)
- “Right of Way—The Right Way,” American Public Works Association, Spring 2015 Conference (Apr. 2015)
- “Proportioning Among Impacted Parties and Owners,” The Seminar Group, Annual Issues in Eminent Domain Seminar (Dec. 2014)
- “Legal Aspects of Easements,” International Right of Way Association (Nov. 2014)
- “Condemnation Procedures for Cities,” Washington State Association of Municipal Attorneys, Spring Conference (May 2014)
- “Eminent Domain Law Basics for the Right-of-Way Professional,” International Right of Way Association, Education Course (May 2014)
- “An Introduction to Local Improvement Districts,” International Right of Way Association, Puget Sound Chapter Meeting (Apr. 2014)
- “Skills of Expert Testimony,” International Right of Way Association (Oct. 2013)
- “Eminent Domain Law Basics for the Right-of-Way Professional,” International Right of Way Association (July 2013)
- “The Rights of Railroad Reversion: Who’s on First,” International Right of Way Association, International Education Conference (June 2013)
- “What You Need to Know About Right-of-Way Acquisition Projects,” International Right of Way Association, Spring Conference (May 2013)
- “Skills of Expert Testimony,” International Right of Way Association (Nov. 2012)
- “Condemnation Procedure from A to Z,” The Seminar Group, Issues in Condemnation (Nov. 2012)
- “Pretrial Motions in Limine: Don’t Get Caught With Your Pants Down,” Appraisal Institute, Fall Real Estate Conference (Nov. 2012)
- “Recent Developments in Alternative Dispute Resolution,” International Right of Way Association, International Education Conference (2012)
- “Special Opportunities and Challenges for Junior Lawyers Second-Chairing a Condemnation Case,” American Law Institute-American Bar Association, National Eminent Domain Conference (2012)
- “Presenting and Defending Your Appraisal in Litigation,” Appraisal Institute, Fall Real Estate Conference (Oct. 2011)
- “The Interplay Between Impact Fees and Dedication in Condemnation,” The Seminar Group, Issues in Condemnation Seminar (Oct. 2011)

- “The Legal Aspect of Easements,” International Right of Way Association/Bonneville Power Administration (2011)
- “Condemnation, Valuation, and Mock Trial,” International Right of Way Association (2007 and 2010)
- “Top 10 Things a Right-of-Way Agent Never Wants to Hear From a Property Owner During Negotiations,” International Right of Way Association (2010)
- “Tenant Rights under the Washington Residential Landlord-Tenant Act,” Tacoma Community College (2007)

Recognition & Honors

- Selected for inclusion in *The Best Lawyers in America*® (Seattle, WA)
 - Eminent Domain and Condemnation Law, 2022-present
- Mentor of the Year, Miller Nash Graham & Dunn LLP, 2017
- Professional of the Year, International Right of Way Association Region 7 (Washington, Oregon, Idaho, Alaska, and Montana), 2016
- Professional of the Year, International Right of Way Association Puget Sound Chapter, 2011
- Selected for inclusion as a Washington Super Lawyer, 2013-present
 - Selected as a Rising Star, 2010 and 2012