



Tom Kapsales

Partner

Contact Information

416 869 5786
tkapsales@cassels.com

Office

Toronto

Expertise

- Real Estate & Development
- Energy
- Mining

Biography

Tom Kapsales is a partner in the Real Estate & Development Group at Cassels, offering particular expertise in the mining sector. Tom's past experience as in-house counsel provides him with invaluable insight into the business concerns expressed by in-house counsel and clients. Tom's real estate practice includes all aspects of commercial real estate and clients include corporate, partnership, trust, government, non-profit and individual entities. He advises on financings, acquisitions and sales, title, subdivision and condominium issues and provides strategic transaction, negotiation and structuring advice. He also advises on liens, security enforcement and the arbitration or mediation of disputes. Tom's participation in real estate transactions often includes widespread work relating to title deficiencies, competing third party rights, zoning, permits, subdivision, construction and legal and regulatory compliance issues. Tom's leasing practice involves both landlords and tenants and includes rights and remedies.

Part of the firm's renowned Mining Group, Tom also offers expertise in many areas of law relevant to mining companies, including: negotiating agreements including joint venture, shareholder, acquisition, disposition, financing, and royalty and streaming agreements; opinions on freehold and leasehold titles, crown mining leases, licences of occupation, mining claims, and surface and mining rights; permits and environmental matters; work regarding railway, hydro-electric and other mining related corridors; municipal applications; litigation including applications to expropriate rights, settlement-related agreements, title research, and vesting orders arising out of bankruptcy or insolvency; financing including streaming-related financings; taxation and other levies, including land transfer consequences for mining rights and surface rights, tax deferral transactions, assessment and property tax issues, and mining lease rents; title insurance and surveys.

As a previously licensed commodity broker, Tom is familiar with the use of metals and currency markets to hedge risks associated with the mining industry. He also provides strategic advice on land aggregation and expertise in the development of simplified, uniform agreements that do not overwhelm vendors to expedite massive aggregations.

Tom also offers experience with Aboriginal consultation requirements, including Ministry consultations regarding transfer or conversion of mining rights, titles, and interests, and Government Agency consultation regarding the transfer of hydroelectric assets and related works.

Given Tom's expertise, he often acts as a mining corporation's primary or sole legal conveyancing expert and he has worked with a myriad of mining and mining financing related companies in Canada and around the world.

Among other credentials, Tom has a Certificate in Mining Law from Osgoode Hall Law School and has lectured in Mining Law at Western University Law School.

Achievements

- Osgoode Hall Law School, Certificate in Mining Law
- NAIOP, Real Estate Excellence Award, Lease of the Year

Recent Representative Work

- Treasury Metals Completes US\$20 Million Royalty Financing with Sprott
- GreenFirst Enters into US\$100 Million Financing Agreement with Blue Torch Finance
- Goldshore Resources Acquires Moss Lake Project from Wesdome Gold for \$57 Million
- Cassels Represents the Agent in Orefinders Resources' \$5.5 Million Private Placement
- Cassels Represents the Agent in Mistango River Resources' \$3.1 Million Private Placement

Education / Bar Admissions

- J.D./M.B.A., University of Toronto
- B.A., Brandeis University
- Ontario, 1998

Associations

- Western University Faculty of Law, Mining Law Course,

