

DIANE H. BANKS

Attorney / Of Counsel | Salt Lake City

Licensure: UT

Biography

Diane H. Banks has over 35 years of experience as a real estate attorney focusing on real estate transactions and development. Her clients rely on her for legal work relating to acquisitions, sales, financing, working with agencies, and leasing. She negotiates on behalf of clients while handling all documentation from letter of intent through closing in many types of sophisticated real estate deal structures. For example, Diane often represents the buyer of a property together with financing (sometimes including bond financing or tax credits), managing documentation and negotiation with and between the lender, mezzanine lender, and public financing counsel. There are often issues relating to development agreements, annexation, condominiums, subdivision, or assemblages and sometimes unique issues such as air rights or various types of easements.

Diane also assists lenders in commercial loan workouts and is recognized as a skilled mediator and arbitrator. In complex transactions, Diane draws upon the expertise of Fabian VanCott attorneys specializing in tax, environmental issues, and other areas of core competency. Diane graduated from the University of Utah Law School where she was a William H. Leary Scholar, was on law review, and won best oral argument in Moot Court Competition. Diane is admitted to Utah's state and federal courts.

Practice Areas

REAL ESTATE

REAL ESTATE TRANSACTIONS,
TITLE & DILIGENCE

REAL ESTATE LITIGATION

COMMERCIAL LEASING & EVICTIONS

LAND USE, ZONING, CONSTRUCTION
& DEVELOPMENT

Professional History:

- Business Excellence Award, Utah CCIM 2013 Real Estate Attorney of the Year Attorney and Shareholder, Fabian VanCott
- Past Director, Fabian VanCott Board of Directors
- Founder and Member, Fabian VanCott Women Lawyers Group
Founder and Past Chair, Fabian VanCott Real Estate Group
- Rated AV by Martindale Hubbell
- Past Board Member, Utah Dispute Resolution



FABIAN VANCOTT

CONTACT

DIRECT LINE

801.323.2201

ADDRESS

95 South State St., Suite 2300
Salt Lake City, UT 84111

EMAIL

dbanks@fabianvancott.com

Education

J.D., University of Utah Law School,
1986; Utah Law Review; Moot
Court Competition: Best Oral
Argument Award; Moot Court
Board; William H. Leary Scholar

Graduate Studies, University of
Arizona

Honors B.A., University of Utah,
1972; Magna Cum Laude; Phi
Kappa Phi

Professional History (con't)

- CREW Utah (Commercial Real Estate Women of Utah) Executive Committee Member,
- American Bar Association
- Member, Salt Lake County Bar Association
- Member, Women Lawyers of Utah
- Past Chairman, Member and Loan Committee Member, Redevelopment Advisory Committee for Redevelopment Agency of Salt Lake City
- Past Chairman, Continuing Member, Real Estate Section of Utah State Bar Association
- Past Executive Committee, Continuing Member, Alternative Dispute Resolution Section of Utah State Bar Association
- Adjunct Professor, 2000-2004, S.J. Quinney College of Law at the University of Utah, Teaching Real Estate Document Drafting
- Past Member, S.J. Quinney College of Law Board of Trustees
- Admitted to Utah State Bar and U.S. District Court, District of Utah, 1987; U.S. Court of Appeals, Tenth Circuit, 1994
- Speaker, "Minding and Binding Corporate Clients," sponsored by the Corporate Section of the Utah State Bar Association, Annual Meeting
- Speaker, Utah State Bar Association Real Property Section, Panel Discussion
- Speaker, "Opening Statements," sponsored by the Alternative Dispute Resolution Section of the Utah State Bar Association, ADR Academy
- Speaker, sponsored by the Utah State Bar Association Real Property Section, Mid-Year Meeting
- Speaker, "Choosing the Right Business Entity," Zions Women's Conference
- Speaker, 19th Annual Women & Business Conference, Salt Lake Chamber of Commerce
- Presenter, Litigation Section of Utah State Bar Association, Fall Forum
- Panel Discussion, "Effective ADR," sponsored by the Alternative Dispute Resolution Section of the Utah State Bar Association, Annual Meeting
- Moderator, "Effective Preparation and Advocacy in ADR," sponsored by the Alternative Dispute Resolution Section of the Utah State Bar Association, Annual Meeting
- ADR for the Real Property Attorney, Utah State Bar Association Real Property Section Author, "Paths to Mediation, with Sample Clauses," Utah Bar Journal, December 2001
- Author, "Negotiating & Understanding Commercial Leases"
- Author, Section 365 of the Bankruptcy Code: "Out of Balance After 1984?" 1986 UTAH LAW REVIEW 781

Publications and Presentations

- Speaker, "Closing the Deal," sponsored by the National Business Institute
- Speaker, "Ten Steps to a Successful Arbitration," sponsored by the American Arbitration Association
- Speaker, "60 Tips in 60 Minutes," sponsored by the Utah State Bar Association, Fall Forum
- Speaker, "Hot Tips for a Successful Mediation or Negotiation," sponsored by the Alternative Dispute Resolution Section of the Utah State Bar Association

Community Service

- Redevelopment Advisory Committee for ten years
- Member, Special Exhibitions Council for Utah Museum of Fine Arts

Community Service (con't)

- Past Member, Board of Trustees for the Society for Environmental Education Founder, Utah high school mock trial team for Judge Memorial High School
- Coach, Utah high school mock trial competition for nine years; including coaching the winning team in state competition for three years
- Participant, Utah Law Related Education Mentor Program for Judge Memorial High School
Participant, Utah Law Related Education Mentor Program for Highland High School Participant, Fabian & Clendenin service projects
- Volunteer, Ronald McDonald House

Peer Recognition

- Recognized by Utah Business magazine as Legal Elite in the field of Real Estate Law Recognized as an Outstanding Real Estate Lawyer by Chambers USA Recognized by Best Lawyers as outstanding in the field of Real Estate Law
- Recognized in Super Lawyers as among the top 40 women lawyers in the states of Utah, Nevada, Montana, Idaho and Wyoming
- Award, Young Alumnus of the Year presented by the Alumni Board of the S.J. Quinney College of Law