

Ryan Sugden Offers Guidance for Challenging Permit Fees in *Colorado Real Estate Journal*

In the News

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Stinson LLP Partner [Ryan Sugden](#) authored an article for the *Colorado Real Estate Journal*, "When are expensive permit fees unconstitutional?" The article explores the constitutionality of government permit fees imposed on development projects and highlights legal options for landowners and developers, in light of recent court rulings.

Sugden writes that while permit fees are necessary, state and federal courts are increasingly examining the relationship between permit fees and a project's overall impact on the community, citing a recent Colorado case for further insight. "Based on this reasoning, permit or impact fees that are not tethered to a development's actual impact on the community – or that simply go into a community's general fund for any use – could be challenged as unconstitutional," he writes.

Sugden says the legal landscape is still evolving and court challenges can be unpredictable. He urges landowners and developers to be cautious, especially when fees for acquiring property seem excessive, and to seek legal counsel to assess specific circumstances of a project before it starts "as many questionable permit fees could be unconstitutional."

Sugden represents businesses in energy, commercial real estate, land use and construction disputes. He has extensive real estate and construction litigation experience, including helping clients obtain the permits needed to start a new development, defending owners and contractors in construction disputes and representing landowners after a property is developed. Sugden also represents private businesses against state and local governments when his clients have been denied their right to due process and equal protection of the law.

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