

**MINUTES OF THE JANUARY 20, 2009 MEETING OF THE
EXECUTIVE COMMITTEE OF THE REAL PROPERTY LAW SECTION OF THE
STATE BAR OF NEVADA**

In attendance via video-conference were Mary Drury and Michael Buckley at the offices of Marquis & Aurbach in Las Vegas and Karen Dennison and DeArmond Sharp at the offices of Jones Vargas in Reno. In attendance via teleconference were Doug Flowers, Craig Howard, Matt Watson, Colleen Dolan and Dave Davis. Absent were Layne Butt, Pierre Hascheff and Sandi Turner. A quorum was established and the meeting commenced at 4:00 p.m. Mary Drury took the minutes for the meeting.

1. The minutes of the December 16, 2008 meeting were reviewed and approved.
2. Michael Buckley reported that our proposed bills are to be heard before a Board of Governors meeting on January 21, 2009. Michael Buckley is going to check with Senator Terry Care to ask him how we let the legislature know that the Real Estate Committee is available for consultation.
3. The State Bar has cancelled the convention in Kauai, but we understand that it will be re-scheduled in Las Vegas. Mary Drury is to do a joint email to the Business and Real Estate Executive Committees and the Real Estate General Subcommittee to see who might be interested in teaching a CLE at the annual meeting. Karen Dennison will ask, while she is at the Board of Governors meeting on January 21, with whom we should coordinate to get a CLE slot for the June Annual Bar Meeting. Some topics proposed, but the subcommittee will need to flush this out, were green building, detailed legislative presentation or information concerning real estate or mortgage relief statutes.
4. There was a discussion about the Uniform Assignment of Rents. DeArmond pointed out an inconsistency in the language. Other members pointed out the benefits are that it includes a statutory form letter for the lender to send to tenant notifying them to pay rents directly to lender and that a lender does not need to start the foreclosure process in order to get a receiver appointed. Michael Buckley also discussed an interesting one action rule case where Judge Denton determined that, if a foreclosure has been commenced, a guarantor is not entitled to the deficiency statute protections.
5. Land Use: Pierre Hascheff absent.
Natural Resources: Craig Howard reported on behalf of his subcommittee and state that several articles are pending.
Common Interest Communities: Karen Dennison and Michael Buckley stated that there had been no meeting.
Real Estate Finance: Doug Flowers stated that there had been no meeting and, unfortunately, the Mortgage Division rejected changes to NRS 80.015.
Commercial Leasing: Matt Watson reported that there was no meeting.

General Real Estate: Mary Drury reported that a few members of her General Real Estate subcommittee met to discuss CLE and legislative tracking. Melody Luetkehans reiterated her availability to speak or testify before the legislature.

Professionalism: DeArmond Sharp reported on the CLE and that we had received good ratings from the participants. He also gave a brief discussion of the Glen Lerner ruling, which effectively left the determination of what is the practice of law to a case-by-case determination. He finally reported that Elizabeth Fielder expressed interest in assisting him with professionalism matters.

6. The next meeting will be held on February 17, 2009, at 4:00 p.m. at Jones Vargas.

The meeting was adjourned at 5:48 p.m.