

**STATE BAR REAL PROPERTY SECTION
EXECUTIVE COMMITTEE MEETING**

**AGENDA
October 20, 2009**

Location: Marquis & Aurbach (Las Vegas) / Jones Vargas (Reno) (and by teleconference)

Roll Call and establish quorum and minute keeper

1. Review and approve Minutes of September 22, 2009 meeting (All members)
2. Discussion of SB 254
3. Upcoming Section CLE / Social
 - a. November 19-20 (3 hours in afternoon) CIC
 - b. November 19-20 (3 hours in morning) Foreclosures.
 - c. November 19-20 Social
4. Current Matters of Interest to Section Members (i.e., Committee Members should bring to attention of Committee recent decisions, laws, news (e.g., foreclosures, lawsuits, actions by governmental agencies, etc.), etc. (All members)
5. 2010 Budget
6. Subcommittee Reports (Members/Meetings/Legislative Proposals):

Land Use: Pierre Hascheff
Natural Resources: Craig Howard
Common Interest Communities: Karen Dennison and Michael Buckley
Real Estate Finance: Doug Flowers
Commercial Leasing: Matt Watson
General Real Estate: Mary Drury
Professionalism – DeArmond Sharp
7. Set date time, agenda items for next meeting (November 17).

**Nevada State Bar Foreclosure Seminar
November 19 & 20, 2009
Las Vegas and Reno**

Nevada Foreclosure Basics: (Michael Buckley– 30 minutes)

- One Action Rule / The Comprehensive Scheme
 - What is and what is not an "action."
 - Sanctions
 - Waivers
- Deficiency Liability
- Liability of Guarantors
- Choice of Law Issues

Foreclosing on Mixed Collateral (DeArmond Sharp – 30 minutes)

- UCC Collateral
- Collecting Rents / Receivers
- Uniform Assignment of Rents Act

Trustee's Sales (Karen Dennison – 30 minutes)

- Commencing Foreclosure Proceedings/Checklist
- Trustee's Sale Guaranty
- Deficiency Judgments and Bidding Strategies
- Deeds in Lieu of Foreclosure

Break – 15 minutes

Foreclosure Notice Issues (Doug Flowers - 35 minutes)

- General Requirements
- Recent Legislative Changes
- New Mediation Rules
- Effect of Foreclosure on Tenants

Workouts (Mary Drury – Elizabeth Fielder 40 minutes)

- Lender/Borrower Strategies
- Legal Issues involving Guarantors and Junior Liens

Wrap Up / Questions / Hypos – 15 minutes

Faculty:

**Karen Dennison and Doug Flowers, Holland and Hart
Elizabeth Fielder and Michael Buckley, Jones Vargas
DeArmond Sharp, Robison, Belaustegui, Sharp & Low
Mary Drury, Marquis & Aurbach**

**COMMON INTEREST COMMUNITIES
FINDING ANSWERS IN TROUBLED TIMES
Las Vegas (November 19)
Reno (November 20)**

**I. BOARD OPERATIONS
(Bruce Flammey [Las Vegas] / Eleissa Lavelle [Reno]) (30 Minutes)**

Board operations, including guidelines for meetings and workshops and recent legislation affecting the duties and liabilities of board members, including punitive damages.

**II. DISCLOSURES
(Darren Welsh) (30 Minutes)**

New sale and resale disclosure requirements affecting brokers, developers, associations and selling owners.

**III. DRAFTING
(Rick Rawson – Association Attorneys) (30 Minutes)**

Drafting governing documents, including drafting tips from association attorneys and the effect of recent legislative changes and the new *Boulder Oaks* decision on governing documents. Interstate Land Sales Act exemptions and contract requirements.

BREAK (15 Minutes)

**IV. DISPUTE RESOLUTION
(Eleissa Lavelle) (30 Minutes)**

Procedures for resolving disputes involving common interest communities' governing documents, including binding and non-binding arbitration under NRS Chapter 38 and proceedings before the Nevada Commission for Common-Interest Communities and Condominium Hotels.

**V. ASSOCIATION FINANCES
(John Leach [Las Vegas] / Darren Welsh [Reno]) (30 Minutes)**

Enforcement of assessment liens, including foreclosures, assessment lien superpriority issues and recent legislation affecting vacant properties, evictions and permissible fees.

Wrap Up / Questions (30 Minutes)

Faculty:

Michael Buckley, Rick Rawson, Jones Vargas
Bruce Flammey, Flammey Law Offices
Eleissa Lavelle, Watt, Tieder, Hoffar & Fitzgerald, L.L.P.
John Leach, Leach, Johnson, Song & Gruchow
Darren Welsh, Darren J. Welsh, Chartered