

**MINUTES OF THE SEPTEMBER 20, 2011 MEETING OF THE  
EXECUTIVE COMMITTEE OF THE REAL PROPERTY LAW SECTION OF THE  
STATE BAR OF NEVADA**

In attendance via teleconference were Michael Buckley, Chris Childs, Karen Dennison, Colleen Dolan, Mary Drury, Elizabeth Fielder, Pierre Hascheff, Craig Howard, Angela Otto, DeArmond Sharp, Mandy Shavinsky, Sandi Turner and Matt Watson. Layne Butt and Doug Flowers were absent. The meeting commenced at 4:00 p.m. Deborah Hayes, legal secretary at Jones Vargas, took the minutes for the meeting.

1. The minutes of the August 16, 2011 meeting were approved.
2. *Treasurer's Report:* Nothing to report.
3. *Annual Meeting Report:* Michael Buckley reported a question was raised at the Section Head Meeting as to whether the Sections should have their Annual Meetings during the Annual Meeting of the State Bar. It was agreed by the Executive Committee to keep the Real Property Section's Annual Meeting separate from the State Bar. Craig Howard suggested for future Annual Meetings of the Real Property Section a cocktail party be held prior to the start of the meeting. Minutes of the August 16, 2011 Annual Meeting were approved.
4. *Discussion of AB 284 Affidavit:* Matt Watson reported the Attorney General's office had language in the affidavit to the effect that the affiant acknowledges that filing a false affidavit is a felony (Section 7). He advised the Attorney General's Office the language was not required by the affidavit language in AB 284 and felt it didn't apply. The Attorney General's Office revised the affidavit, taking out Section 7.

Angela Otto expressed concern that the affidavit was tailored for residential loans and wasn't set up for a situation whereby the loan agreement served as the note and no actual promissory note was involved in the transaction. Matt Watson suggested modifying the affidavit to state there was no note and the deed of trust was secured with another obligation and stating the document that evidenced that obligation. Michael Buckley proposed that the Attorney General's Office be alerted to this fact.

5. *Communique Article on AB 273.* Matt Watson expressed concern that the article suggests that the reading of AB 273 in the issue of purchasing a judgment is a little more clear cut than it actually is. It was agreed that a one paragraph letter from the Real Estate Finance Committee would be sent to the editor advising that AB 273 may not be quite so clear and is likely to be litigated and potentially subjected to further legislation.

6. *CLE Programs: August 22<sup>nd</sup> Real Estate Laws:* Michael Buckley reported it was the highest attended webinar that week.

Professionalism in a Box (December 9<sup>th</sup>): DeArmond Sharp stated he would reach out for volunteers and keep the Executive Committee advised of the status. Mary Drury agreed to participate in the program.

Section Head Meeting re San Diego CLE (June 2012): Michael Buckley reported that a proposal was due by October 7<sup>th</sup>. He suggested that a possible program topic be the criminalization of activities that real estate lawyers deal with and perhaps a joint program with another Section could be put together. Don Campbell and Dominic Gentile were mentioned as possible speakers and Michael Buckley agreed to contact them to see if there was an interest.

7. *Listserve:* Michael Buckley reported that the Listserve was producing more activity. He also stated that when names get bounced back too many times, the names are dropped off the list which helps in keeping the list updated.

8. *Current Matters of Interest:* Michael Buckley reported that in 2012 it would be a good idea to revisit 116B with some of the 402 changes.

DeArmond Sharp suggested forming a Legislative Committee. Michael Buckley agreed it would help to keep track of changes and getting those changes to the appropriate people. Pierre Hascheff stated it was an excellent idea as the Governor prefers a one-on-one with certain groups just to get an idea of what their thoughts are and concerns so he can make sure his staff is aware of anything even before it gets to the legislative session. Pierre Hascheff and Karen Dennison agreed to meet to discuss going forward with a committee.

Michael Buckley also suggested that a letter to UNLV might be in order to see if anybody there would be interested in participating in the meetings of the subcommittees or sitting in on the Executive Committee.

9. *Subcommittee Reports:* Nothing to report.

The meeting was adjourned at 4:55 p.m. The next meeting will be held on November 15, 2011, at 4:00 p.m.