

2017 REBA ANNUAL MEETING & CONFERENCE

Monday, November 6

7:30 AM – 2:45 PM

DoubleTree Hotel
50 Ferncroft Road
Danvers, Mass.

Luncheon Keynote Address Presented By:

DAN REA



REA, a lawyer and veteran Boston TV journalist, is the Host of *NightSide* on WBZ NewsRadio 1030 every weeknight at 8pm. *NightSide* focuses on a wide variety of issues, political, economic and social. Rea believes that talk radio is the best way for people to communicate their opinions and ideas on what he calls “North America’s Virtual Back Porch”. Rea encourages challenging conversations and diverse ideas combined with respect and tolerance for the opinion of others.

Dan is a native Bostonian, educated at the Boston Latin School, Boston State College and Boston University School of Law. He spent 31 years as an on-air reporter at WBZ-TV.

Rea considers his most important work in television a 15-year crusade that helped gain freedom for Joe Salvati, a Boston man wrongfully convicted for a 1965 murder of which Salvati was completely innocent. Rea exposed corruption within the Boston office of the F.B.I., whose agents conspired with a disgraced federal informant to wrongfully, intentionally and maliciously convict Salvati and three other innocent men. The men and their families were awarded over \$ 101,000,000 by Federal District Court Judge Nancy Gertner on July 26, 2007, a day during which Rea concluded his career at WBZ-TV with a series of day-long on-air reports.

While working as a general assignment, investigative and political reporter at WBZ-TV, Rea won many awards, including two Regional Emmys and nine Regional Emmy Nominations. His reporting took Rea across America and to Europe several times to follow stories involving New Englanders. Rea has interviewed every American President since Gerald Ford.

Rea is the recipient of many distinguished awards including the First Annual Excellence in Journalism Award from the Massachusetts Bar Association, the Silver Shingle Award for Public Service from Boston University School of Law and the Silver Circle Award for Lifetime Achievement from the New England Academy of Television Arts and Sciences. Dan was also honored with the prestigious Yankee Quill Award by the Academy of New England Journalists and the New England Society of Newspaper Editors. This distinguished award is considered to be the highest individual honor awarded by fellow journalists in New England.

Rea has written op-ed articles for *The Boston Globe*, *The Washington Post* and *Newsweek Magazine*. He was the subject of a children’s book, “A Day in the Life of a Television News Reporter,” published by Little Brown and appeared in the Oscar-nominated film, “Reversal of Fortune,” which chronicled the celebrated trial of Rhode Island socialite Claus Von Bulow.

BREAKOUT SESSIONS

*Ethical Issues in Disclosure:
Intersection of Duties to
Clients and to Third Parties*

*Alternatives to Subdivisions:
Condominiums and Ground Leases*

*Commercial Title
Insurance Endorsements*

*McCarthy v. Tobin: Revisited in the
Age of Electronic Communications*

*How to Handle Condominium
Liens in a Mortgage Foreclosure*

*Creating an Efficient Real Estate Office:
Tools, Techniques and Best Practices*

*Recent Developments in
Massachusetts Case Law*

Practical Skills Sessions:

*M792’s & Beyond: Estate Tax Lien
Affidavits and Releases on Title*

*Fiduciary Income Tax Boot
Camp for Lawyers and Drafting
Trusts to Hold Real Estate*

*Disbursement of Funds - Best
Practices: Recognizing and
Avoiding Fraudulent Instructions*

REBA CONTINUING EDUCATION SECTION

Kendra L. Berardi, Co-chair
Elizabeth J. Young, Co-chair

CLE CREDIT

CLE credits in New Hampshire
and Rhode Island are pending

SPONSORS & EXHIBITORS

For more information about the
Exhibitor & Sponsor Program,
contact Jessica Trenouth at
trenouth@reba.net | 617.854.7555

REBA CONTACT

For questions, please contact
REBA at 617.854.7555 or
admin@reba.net. You may also
visit us online at www.reba.net.

CONFERENCE REGISTRATION ENCLOSED

SCHEDULE OF EVENTS

7:30 AM - 8:30 AM	Registration and Exhibitors' Hour
8:30 AM - 1:15 PM	BREAKOUT SESSIONS (<i>see descriptions below</i>)
1:20 PM	LUNCHEON PROGRAM
1:20 PM - 1:40 PM	Opening Remarks from President Fran Nolan
1:40 PM - 2:00 PM	Keynote by Dan Rea, Host of NightSide, WBZ NewsRadio 1030
2:00 PM - 2:20 PM	Business Meeting, Committee Reports & REBA Awards
2:20 PM - 2:45 PM	Concluding Remarks
2:45 PM	Adjournment

Breakout Sessions

8:30 AM - 9:30 AM | GRAND BALLROOM I

9:45 AM - 10:45 AM | GRAND BALLROOM I

Ethical Issues in Disclosure: Intersection of Duties to Clients and to Third Parties

From the first day of kindergarten, we have all been told "If you don't have something good to say, don't say anything." However, is this sound advice when it comes to representing a seller in a real estate closing? What is an attorney obligated to advise his client to disclose when and when not asked? What should an attorney do if a client declines to follow his advice? Ethical obligations and practical advice are covered in disclosing matters as diverse as a leaky roof, asbestos tile, underground oil tanks, and yes, even ghosts and grisly crimes. Newly-appointed BBO General Counsel Joe Berman will also update attendees on recent developments and initiatives at the BBO.



George A.
Berman



Joseph S.
Berman



Katherine L. Kenney

8:30 AM - 9:30 AM | GRAND BALLROOM III

9:45 AM - 10:45 AM | GRAND BALLROOM III

Alternatives to Subdivisions: Condominiums and Ground Leases

This program will focus on how to structure a mixed-use commercial development through a condominium or ground lease ownership structure to address financing, land use, and other issues in connection with such a development. Our panelists will discuss the pros and cons of condominium establishment and ownership, ground or master lease structure, fee ownership of separate parcels, and subdivision/combination of parcels. They will also explore examples of developments utilizing these strategies.



Paula M. Devereaux



Kimberly L. Martin-Epstein

REGISTER ONLINE AT WWW.REBA.NET

8:30 AM - 9:30 AM | GRAND BALLROOM IV

11:00 AM - 12:00 PM | NORTH SHORE B

Commercial Title Insurance Endorsements

Title insurance is a critical component of any commercial real estate financing or purchase and sale transaction. Some of the most important coverages in a title insurance policy are provided through endorsements. The panelists will explain the key endorsements available to owners and lenders and the underwriting criteria applied by title insurers in issuing these endorsements. Please join us for an informative discussion.



Thomas L. Guidi



Melanie E. Kido



Margaret M. Fortuna

9:45 AM - 10:45 AM | GRAND BALLROOM IV

11:00 AM - 12:00 PM | GRAND BALLROOM IV

McCarthy v. Tobin: Revisited in the Age of Electronic Communications

McCarthy v. Tobin was decided 18 years ago and since that time, text messages and emails have become the communications norm, presenting new challenges to applying the most vital case that sets forth the standard of enforceability of Offers to Purchase and "Agreements to Agree" in recent history. For 18 years, *McCarthy v. Tobin*, has been cited or quoted by Massachusetts state and federal courts well over 150 times – and not always consistently. This session will explore its application by the courts, its effect on the deadline for signing purchase and sale agreements, and when emails and text messages may be relied upon as creating a binding offer.



Kendra L. Berardi



George J. Warshaw

8:30 AM - 9:30 AM | NORTH SHORE A

9:45 AM - 10:45 AM | NORTH SHORE A

How to Handle Condominium Liens in a Mortgage Foreclosure

Dealing with a condominium's lien for unpaid common expense assessments in the context of a mortgage foreclosure can create complications for the association, as well as the foreclosing lender. This session will explore the mechanics of creating the priority lien and the limitations on association priority, as well as practical tips for lenders' and buyers' counsel in dealing with the condominium's claimed lien before, during and after the foreclosure sale.



Thomas O. Moriarty



Melissa B. Morrow

8:30 AM - 9:30 AM | NORTH SHORE B

9:45 AM - 10:45 AM | NORTH SHORE B

Creating an Efficient Real Estate Office: Tools, Techniques & Best Practices

The panelist will focus on providing practitioners, whether new or seasoned, with the most modern tools, techniques and best practices to create an efficient real estate office that allows the practitioner to leave the office on time and in control. We will look at software and hardware solutions that allow for compliance with document storage, filing and transmission requirements, while improving efficiency and mobility. We will also give practitioners various tools and techniques that allow for increased time management and improved case management. Finally, we will talk about best practices to improve client management to reduce client demands and unnecessary friction and stress.



Conrad J. Bletzer Jr.



Rodney S. Dowell

9:45 AM - 10:45 AM
11:00 AM - 12:00 PM

NORTH SHORE C
NORTH SHORE C

Practical Skills Session

M792's and Beyond: Estate Tax Lien Affidavits & Releases on Title

Following the death of a property owner, a conveyancer must obtain and record certain documents to release the property from any potential Massachusetts and Federal estate tax liens. In certain circumstances, a conveyancer may rely on an affidavit regarding estate taxes, but in others a Certificate Releasing Massachusetts Estate Tax Lien and/or a Certificate of Discharge from Federal Tax Lien is required. Join our panelists in a discussion on Mass and Federal estate taxes liens, including when they attach, how to release them, including the IRS's new procedure of issuing conditional commitments to discharge property from Federal estate tax liens, and some recent changes in the laws.



Kevin T. Creedon



Katherine E. McGarr

8:30 AM - 9:30 AM
9:45 AM - 10:45 AM

GRAND BALLROOM II
GRAND BALLROOM II

Practical Skills Session

Fiduciary Income Tax Boot Camp for Lawyers and Drafting Trusts to Hold Real Estate

Identifying the proper seller and proper 1099 reporting is critical to minimizing income taxes in connection with the sale of real estate from trusts, either during life and/or after death. In this program, our panelists will discuss the income tax step-up basis rules of IRC § 1014 and the carryover basis rules of 1015, and focus on obtaining seller identification numbers and issuing 1099s to the appropriate parties/entities/trusts in order to minimize income taxes. We will also discuss the use of realty trusts to hold title for the benefit of either revocable trusts or income-only irrevocable Medicaid trust as well as the use of so-called trustee certificates and who really is the seller when property is being sold by the trustee of a nominee realty trust on behalf of its so-called beneficiaries.



Leo J.
Cushing



Susan B.
LaRose



Lisa M. Rico

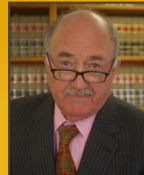
8:30 AM - 9:30 AM
11:00 AM - 12:00 PM

NORTH SHORE C
NORTH SHORE A

Practical Skills Session

Disbursement of Funds – Best Practices: Recognizing and Avoiding Fraudulent Instructions

The requirement of wire transfer of funds has become almost universal by both sellers and lenders. The same features that make it attractive – that it is fast, reliable and irreversible – also make it potentially lethal, if the funds are misdirected. Every method of delivering money has its drawbacks, counterfeit currency, forged bank checks, and corporate checks with routing numbers for banks on Mars. There is a chink in every suit of armor, and the prevailing hazard is the unreliable integrity, not of the electronic transfer system, but of the instructions received from sellers, lenders and attorneys that are all-too-easily altered or forged. However, once the hazards are understood, there are defensive measures that can reduce the risks. We will provide you with effective practices, procedures and forms.



Henry J.
Dane



Jutta R.
Deeney



Julie M. Palmaccio

12:15 PM - 1:15 PM

NORTH SHORE BALLROOM

Recent Developments in Massachusetts Case Law

Now in his 39th year at these meetings, Phil continues to draw a huge crowd with this session. His presentation on Recent Developments in Massachusetts Case Law is a must-hear for any practicing real estate attorney. Phil is the 2008 recipient of the Association's highest honor, the Richard B. Johnson Award.



Philip S. Lapatin

REBA ANNUAL MEETING & CONFERENCE

MONDAY, NOVEMBER 6, 2017

GENERAL INFORMATION

For additional information,
call REBA at 617.854.7555

REBA's 2017 Annual Meeting & Conference welcomes both members and non-members. The registration fee includes the breakout sessions, the luncheon, and the conference syllabus book.

Please submit one registration per attendee. Additional registration forms are available online at www.reba.net. We will confirm registration by email. REBA cannot offer discounts for registrants who attend only part of the Conference.

To guarantee a reservation, registration should be sent with the appropriate fee by email or mail, or submitted online at www.reba.net, on or before October 30, 2017. Registrations received after October 30, 2017 will be subject to a late registration processing fee of \$25. Registrations may be canceled in writing on or before October 30, 2017 and will be subject to a processing fee of \$25. Registrations cannot be canceled after October 30, 2017; however, we welcome substitutions of registrants attending the program. Conference materials will be mailed to non-attendee registrants following the event.

Credits are available for professional liability insurance and continuing legal education in other states. For more information, contact Bob Gaudette at 617.854.7555 or gaudette@reba.net.

Kindly refrain from cell phone use during the breakout sessions and luncheon.

DRIVING DIRECTIONS

DoubleTree by Hilton Hotel
50 Ferncroft Road
Danvers, MA



FROM BOSTON & POINTS SOUTH

Take I-93 N to exit 37A –128 N/I-95 N (if on I-95 N, go to step 2)
At split, stay to right on I-95 N (do not take exit 45 on left)
Continue on I-95 N; take exit 50, Route 1 N – Topsfield
Immediately merge left; follow signs for US-1 S – Danvers
Merge right onto US-1 S – Danvers; immediately get in right lane
Make first right onto Ferncroft Rd; hotel is ½ mile down on left

FROM NEW HAMPSHIRE AND POINTS NORTH

Take I-95 South – Peabody/Burlington to exit 50, US-1 S – Danvers
Make first right onto Ferncroft Rd; hotel is ½ mile down on left

FROM THE MASS PIKE / POINTS WEST

Take I-90 E to Exit 15 – Route 128 N / I-95 N Hampshire
At split, stay to the right on I-95 N (do not take exit 45 on left)
Continue on I-95 N; take exit 50, Route 1 N – Topsfield
Immediately merge left; follow signs for US-1 S – Danvers
Merge right onto US-1 S – Danvers; immediately get in right lane
Make first right onto Ferncroft Rd; hotel is ½ mile down on left

REGISTER ONLINE AT WWW.REBA.NET



2017 ANNUAL MEETING & CONFERENCE

MONDAY, NOVEMBER 6, 2017

REGISTRATION

COMPLETE AND RETURN THIS REGISTRATION WITH THE APPROPRIATE FEE TO:

REBA Foundation, 295 Devonshire Street, Sixth Floor, Boston, MA 02110
accounting@reba.net ♦ TEL: 617.854.7555

	<i>By Oct. 30</i>	<i>After Oct. 30</i>
<input type="checkbox"/> YES! Please register me as a REBA member in good standing.	\$225	\$250
<input type="checkbox"/> YES! Please register me as a guest, as I am not a REBA member.	\$265	\$290
<input type="checkbox"/> I would like to purchase the conference syllabus, as I am unable to attend.	\$200	\$200
	\$_____	\$_____

PAYMENT INFORMATION

☐ **CHECK**

Check No: _____

Date: _____

Signature: _____ Date: _____

☐ **CREDIT CARD**

Card #: _____

Expiration: _____

Register Online!
www.reba.net

REGISTRANT INFORMATION

Name of Registrant: _____ Esq. (y/n): _____

Call Name (for nametag): _____ Email: _____

Firm/Company: _____

Address: _____

City/Town: _____ State: _____ ZIP: _____

Tel: _____ Cell: _____ Fax: _____

SELECT YOUR LUNCHEON CHOICE BELOW

☐ Classic chicken marsala

☐ Grilled filet mignon with a port wine sauce

☐ Wild mushroom and asparagus risotto*

**vegetarian/gluten free*

☐ None, as I will not be eating at the luncheon

☐ None, as I am unable to stay for the luncheon

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50 Ferncroft Road, Danvers

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7:30 am - 2:45