

# 2017 REBA SPRING CONFERENCE

Monday, May 1, 2017

7:30 AM - 2:45 PM

Four Points by Sheraton Hotel  
1125 Providence Tpke (Rt. 1)  
Norwood, Massachusetts

## Luncheon Keynote Address

*presented by*

## PATRICK F. STONE



**PAT STONE**, Chairman and CEO of Williston Financial Group, will deliver the luncheon keynote address at the Association's 2017 Spring Conference on Monday, May 1<sup>st</sup> at the Four Points by Sheraton Hotel in Norwood.

Pat enjoys a national reputation with his insights on global economic trends and the directions of the residential and commercial real estate marketplace,

offering predictions of future economic trajectories. Some have called him a visionary.

Currently, Pat serves as Chairman of Williston Financial Group, and as a board member of Green Street Advisors, the leading REIT analytics firm, Linked2Pay, a bank payments innovator, and Inman News, who named him one of 2013's "100 Most Influential People in Real Estate."

*One of the fastest growing and unique real estate service providers in the mortgage industry, Williston Financial Group is the Portland, Oregon-based parent company of WFG National Title Insurance Company.*

Join us at our 2017 Spring Conference, where you can take advantage of accredited continuing legal education, network with colleagues and enjoy an informational luncheon with old friends. We look forward to seeing you on May 1<sup>st</sup>!

For more information, visit [www.reba.net](http://www.reba.net).

### BREAKOUT SESSIONS

*Emerging Topics in Legislation that Concern REBA & Other Industry Players*

*Shining Bright: Solar Energy's Impact on Real Estate Law*

*Proposed New Land Court Rule 14: Binding Summary Decisions*

*Data Security: Ethical Considerations & Best Practices*

*Emerging Trends in the Title Insurance Industry*

*Gettin' High with a Little Help From Your...Landlord?...Trustee?*

*Recent Developments in Massachusetts Case Law*

### **Practical Skills Sessions:**

*Practical & Ethical Advice for Maintaining Your IOLTA*

*Searching, Transferring and Insuring Title to Real Estate Coming out of Bankruptcy*

*Make Them Work for You: Dispute Resolution Clauses & Your Practice*

### **REBA CONTINUING EDUCATION COMMITTEE**

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 Andrea Morales at [morales@reba.net](mailto:morales@reba.net) or 617.854.7555

### **REBA CONTACT**

For more information about this program, contact the REBA office at [admin@reba.net](mailto:admin@reba.net) or 617.854.7555.

**CONFERENCE REGISTRATION ENCLOSED**

# SCHEDULE OF EVENTS

<b>7:30 AM</b>	<b>REGISTRATION &amp; EXHIBITORS' HOUR</b>
<b>8:30 AM - 1:15 PM</b>	<b>BREAKOUT SESSIONS</b> <i>(See descriptions below)</i>
<b>1:20 PM</b>	<b>LUNCHEON PROGRAM</b>
<b>1:20 PM - 1:45 PM</b>	<b>Opening Remarks from President Fran Nolan</b>
<b>1:45 PM - 2:05 PM</b>	<b>Keynote Address by WFG's Patrick F. Stone</b>
<b>2:05 PM - 2:20 PM</b>	<b>Business Meeting</b>
<b>2:20 PM - 2:45 PM</b>	<b>Concluding Remarks</b>

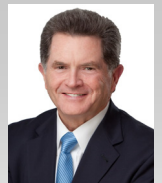
<b>8:30 AM - 9:30 AM</b>	<b>TIFFANY BALLROOM A</b>
<b>9:45 AM - 10:45 AM</b>	<b>TIFFANY BALLROOM A</b>

## ***Emerging Trends in the Title Insurance Industry***

James M. Czapiga; Patrick F. Stone



**CZAPIGA**



**STONE**

In an era of ever-changing technology, business-to-business relationships, regulatory oversight, and settlement and title services industry practices, the title insurance industry is facing new challenges in adapting to these changing practices and requirements. Our speakers will discuss some of these challenges, including the effect of the Trump administration on the CFPB and Dodd-Frank, the evolution of technology integrations with third parties, technology partnerships between agents and title companies, and lender pressures. They will also provide insight into the future practices of the settlement business.

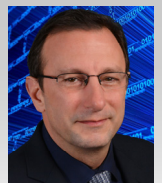
<b>9:45 AM - 10:45 AM</b>	<b>TIFFANY BALLROOM B</b>
<b>11:00 AM - 12:00 PM</b>	<b>TIFFANY BALLROOM B</b>

## ***Data Security: Ethical Considerations and Best Practices***

Steven J. Bolotin; Christopher J. Gulotta



**BOLOTIN**



**GULOTTA**

The world of data security is constantly changing, and so are the rules governing how lawyers deal with those changes. What are your obligations and how can you meet them? Our panelists will discuss the current ethical rules, regulatory requirements and disciplinary trends, as well as present practical solutions to protect you and your clients.

<b>8:30 AM - 9:30 AM</b>	<b>ESSEX/LENOX ROOM</b>
<b>9:45 AM - 10:45 AM</b>	<b>ESSEX/LENOX ROOM</b>

## ***Emerging Topics in Legislation that Concern REBA and Other Industry Players***

Michael F. McDonagh; Edward J. Smith; Douglas A. Troyer



**McDONAGH**



**SMITH**



**TROYER**

Experts will discuss private roads legislation, notary acknowledgement requirements, marketable title act, just cause eviction, mandatory rent escrow, home energy audits, short sales, and other real estate-related topics pending in the current session of the legislature.

# SCHEDULE OF EVENTS

**8:30 AM - 9:30 AM**

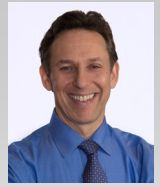
**CONFERENCE ROOM 101**

**9:45 AM - 10:45 AM**

**CONFERENCE ROOM 101**



BARTLETT



KLAVENS

## ***Shining Bright: Solar Energy's Impact on Real Estate Law***

Bethany Anne Bartlett; Jonathan S. Klavens

In the past decade, Massachusetts has made significant advancements in the development of alternative energy sources. Solar arrays cover residential and commercial rooftops and solar panel fields are becoming increasingly prevalent across the Commonwealth. As this technology expands, real estate law continues to develop in this area as land containing, intending to contain, or abutting these elements continues to be bought, sold, leased, and developed. In this session, panelists will explore the legal complexities which arise in connection with the installation, permitting, development, and leasing of solar energy sources on residential, commercial, and municipal lands and the future outlook for solar energy projects.

**8:30 AM - 9:30 AM**

**CONFERENCE ROOM 103**

**11:00 AM - 12:00 PM**

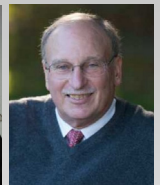
**ESSEX/LENOX ROOM**



FINE



GREENMAN



WARSHAW

## ***Gettin' High with a Little Help From Your...Landlord?...Trustee?***

Adam D. Fine; Jordana Roubicek Greenman; George J. Warshaw

The new marijuana laws pose challenges to landlords, condo owners and associations, and property owners, especially because there has yet to be any significant case law. Our panelists will review what is permissible, impermissible and uncertain under the new laws, including conflicts between state and federal substance control criminal laws and enforcement directives. The program will seek to answer questions concerning the extent to which a landlord, unit owner or condo association may prohibit smoking, or the use or cultivation of marijuana in a dwelling. The panel will also offer counsel on creating and amending leases and condo documents to co-exist with the new laws, and the elements of proof to redress a lease or condo regulation violation.

**9:45 AM - 10:45 AM**

**CONFERENCE ROOM 104**

**11:00 AM - 12:00 PM**

**CONFERENCE ROOM 104**



KRILL



MORIARTY



PIPER



SCHEIER

## ***Proposed New Land Court Rule 14: Binding Summary Decisions***

Giles L. Krill; Thomas O. Moriarty; Hon. Gordon H. Piper; Hon. Karyn F. Scheier

A major change, Rule 14 holds the potential to streamline Land Court litigation and to afford substantial benefits to the parties, their attorneys and the Court. Under the new Rule, approved by the SJC late last year, parties may go directly to a bench trial under a stipulation waiving detailed findings of fact and rulings of law. Instead, a decision will be in a written or oral form akin to a special jury verdict. Rule 14 offers Land Court litigants a far speedier resolution of their disputes. Our panelists will include associate justices Karyn F. Scheier and Gordon H. Piper, as well as Giles Krill and Tom Moriarty, who were REBA's representatives on a special working group comprised of judges, Court staff and lawyers which developed Rule 14.

**REGISTER ONLINE AT [WWW.REBA.NET](http://WWW.REBA.NET)**

# SCHEDULE OF EVENTS

**8:30 AM - 9:30 AM**      **TIFFANY BALLROOM B**

## ***Practical & Ethical Advice for Maintaining Your IOLTA*** ***~ Practical Skills Session***

Deanna Atwood; Terrence D. Pricher



ATWOOD



PRICHER

Maintaining an IOLTA account for real estate conveyancing requires a 'three-way' reconciliation for each account. A three-way reconciliation is the accurate way of reconciling an IOLTA account, so that every penny is accounted for. Title insurance underwriters and the Consumer Financial Protection Bureau require that monthly three-way reconciliations are performed for each account. Proper reports for the reconciliations must be maintained for audit purposes. Our experienced panelists will discuss trust accounting and the three-way reconciliation process in detail. Learn about the Massachusetts Rule of Professional Conduct 1.15: Safekeeping Property in this timely and common-sense approach to maintaining your IOLTA accounts.

**8:30 AM - 9:30 AM**      **CONFERENCE ROOM 104**

**11:00 AM - 12:00 PM**      **CONFERENCE ROOM 101**

## ***Searching, Transferring & Insuring Title to Real Estate*** ***Coming out of Bankruptcy ~ Practical Skills Session***

David J. Buczkowski; Michael J. Goldberg; Robert J. Moriarty Jr.



BUCKOWSKI



GOLDBERG



MORIARTY

Even experienced practitioners sometimes trip up on what to do when confronted with a title coming out of bankruptcy. In this session, you will learn what and where to look when searching title, and what to do when you find it. The REBA Title Standards and their applicability to common issues will be discussed, along with when and to what extent you want or need to be involved in the bankruptcy case. Finally, learn what title insurers require in order to insure title coming "free and clear" out of a bankruptcy.

**9:45 AM - 10:45 AM**      **CONFERENCE ROOM 103**

**11:00 AM - 12:00 PM**      **CONFERENCE ROOM 103**

## ***Make Them Work for You: Dispute Resolution*** ***Clauses and Your Practice ~ Practical Skills Session***

Joel M. Reck; Diane R. Rubin



RECK



RUBIN

Both transactional lawyers and litigators must be familiar with the variety of dispute resolution clauses -- ranging from those in REBA's new Two-unit Condominium Trust Form to those in small and large, partnership, leasing, construction and financing documents. The program will examine mediation and arbitration, as well as stepped decision-making structures, such as "med-arb" (mediation-arbitration), baseball arbitration and appellate-type review of arbitration awards. Best practices and sample provisions will be reviewed from the simple to the sophisticated, together with the risks and benefits of different provisions.

**12:15 PM - 1:15 PM**      **CONFERENCE ROOM 103**

*Video simulcasts of presentation in Conference Rooms 101 & 104*

## ***Recent Developments in Massachusetts Case Law***

Philip S. Lapatin



LAPATIN

Now in his 39<sup>th</sup> 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.



### GENERAL INFORMATION

For additional information,  
call REBA at 617.854.7555

- ◆ REBA's 2017 Spring 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](http://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](http://www.reba.net), on or before April 24, 2017. Registrations received after April 24, 2017 will be subject to a late registration processing fee of \$25. Registrations may be canceled in writing on or before April 24, 2017 and will be subject to a processing fee of \$25. Registrations cannot be canceled after April 24, 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](mailto:gaudette@reba.net).
- ◆ We ask attendees to kindly refrain from cell phone use during the breakout sessions and luncheon.

### Conference Exhibitors Registered So Far...

- |  |                                      |                                 |
|--|--------------------------------------|---------------------------------|
| ★ CATIC  | ★ eRecording Partners Network (ePN)  | ★ Northern Bank & Trust Company |
| ★ CATICTrac  | ★ First American Title Insurance Co. | ★ REBA Dispute Resolution, Inc. |
| ★ Chicago Title & Commonwealth<br>Land Title Insurance Company | ★ Herbert H. Landy Insurance Agency  | ★ Simplifile                    |
| ★ E-Closing  | ★ LEAP                               | ★ Webster Bank                  |
| ★ Easy Soft  | ★ Massachusetts Lawyers Weekly       | ★ Wellesley Bank                |
| ★ Efact / Direct IT  | ★ Massachusetts LOMAP                | ★ Women's Lunch Place           |
|  | ★ New England Land Survey, Inc.      |                                 |

### DRIVING DIRECTIONS

**Four Points by Sheraton Hotel**  
**1125 Boston-Providence Tpke (Route 1)**  
**Norwood, Massachusetts**



#### FROM BOSTON:

Take I-93 South, which turns into I-95 (Route 128) North. Take Exit 15B, Route 1 South, toward Norwood. Continue 4.5 miles down Route 1 South. The hotel will be on your right, after the Staples Plaza.

#### FROM PROVIDENCE:

Take I-95 North to Exit 11B, Neponset Street, Norwood. Drive 7/10 of a mile and turn left onto Dean Street. At the traffic light, turn left onto Route 1 heading south. The hotel will be on your right, after the Staples Plaza.

#### FROM THE WEST:

Follow the Mass. Turnpike (I-90) East. Take Exit 14 onto I-95 (Route 128) South (from the West it is Exit 14; from the East, it is Exit 15). Continue South to Exit 15B (Route 1, Norwood). Continue 4.5 miles down Route 1. The hotel will be on your right, after the Staples Plaza.






## REGISTRATION

**COMPLETE AND RETURN THIS REGISTRATION WITH THE APPROPRIATE FEE TO:**

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

	<i>By April 24</i>	<i>After April 24</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
	\$_____	\$_____

<input type="checkbox"/> CHECK ENCLOSED	<input type="checkbox"/> CREDIT CARD:   
Check No: _____	Card No: _____ Exp.: _____ / _____
Date: _____	Signature: _____ Date: _____

**YOU MAY ALSO REGISTER ONLINE AT [WWW.REBA.NET](http://WWW.REBA.NET)**

### REGISTRANT INFORMATION

Name of Registrant: \_\_\_\_\_ Esq. (y/n): \_\_\_\_\_  
Call Name (for name badge): \_\_\_\_\_ Email: \_\_\_\_\_  
Firm/Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Town: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Tel: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

### SELECT YOUR LUNCHEON CHOICE BELOW

- ☐ Butcher shop cut choice petit filet mignon, grilled and served with a red wine demi-glacé
- ☐ Pan-seared statler chicken breast stuffed with spinach, garlic and fontina cheese with an herbed jus
- ☐ Roasted portabella, red pepper, zucchini and squash on quinoa with balsamic glaze (*gluten free*)
- ☐ None, as I will not be eating at the conference luncheon
- ☐ None, as I am unable to stay for the conference luncheon