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☒ **Yes!** I want to master the very latest developments in Alabama real estate law and network with leading practitioners, all while earning valuable CLE credit. Please reserve my place at the **Alabama Real Estate Law Conference**, the intensive immersion into significant new decisions, laws, regulations, trends, and other developments. If I am in any way dissatisfied, I am entitled to a 100% refund of my registration fee. **Fee:** \$337 for full program, \$257 for additional attendees from the same firm, \$147 for materials only. **\$50 early bird discount until September 22.**

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## WHAT ATTORNEYS WILL LEARN

- ❖ The pros and cons of different finance options
- ❖ Key regulatory issues and how lenders are handling them
- ❖ How to conduct loan commitment and loan closing due diligence
- ❖ How to negotiate the best possible loan modification for the client
- ❖ How to draft documents to cure title defects
- ❖ Checklists to follow in preparing for the closing date
- ❖ Strategies and tactics to use in title litigation
- ❖ What you can use to “qualify” a tenant
- ❖ Essential pro-active and remedial lease provisions
- ❖ Ethical concerns with regard to disclosure of defects in property

## WHAT YOUR COLLEAGUES SAID ABOUT LAST YEAR’S SEMINAR:

*“Great speakers—very knowledgeable. It made an otherwise boring subject interesting.”*

*“All of the speakers were willing to answer questions after their presentations.”*

*“The information was very relevant to my practice.”*

*“All topics were useful to my practice.”*

*“Good information.”*

*“Very good seminar.”*

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7 hours of continuing education credit for title insurance agents
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- CANCELLATION POLICY**
- A \$50 processing fee applies to ALL conference cancellations.
  - Registrants are responsible for the entire program fee for a cancellation made after 5:00 p.m. three weeks prior to the event (whether or not you attend the program or fail to cancel).
  - An alternate may attend in place of the original registrant.

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**Alabama  
Law Weekly**

presents

## The 4<sup>th</sup> Annual ONE-Day Learning & Networking CLE Event!



### FRIDAY, NOVEMBER 3<sup>RD</sup> • EMBASSY SUITES BIRMINGHAM–HOOVER

Learn the very latest about the laws, decisions, and developments affecting your practice and your clients:

- ❖ The mechanics of commercial real estate financing—including key regulatory issues, loan commitment and loan closing due diligence, and preparing legal opinions
- ❖ Negotiating the best possible loan modification for your client
- ❖ Drafting documents to cure defects—corrective deeds, releases, affidavits of facts, and more
- ❖ Preparing for the closing date—including sample checklists
- ❖ Issues that arise in title litigation—defenses, strategies, and tactics
- ❖ Overview of landlord-tenant law, from pre-lease considerations to the eviction process
- ❖ Ethical considerations—including conflicts of interest, disclosure of defects in property, and liability in title examination

This conference is perfect for Alabama attorneys who practice real estate law and those who work for title insurance companies, banks, and other lenders.

### FACULTY

- Virginia S. Boliek,**  
*McGlinchey Stafford PLLC, Birmingham*
- Kevin Gray,**  
*Bradley Arant Boult Cummings LLP, Huntsville*
- G. Hampton (Trey) Smith, III,**  
*Zarzaur & Schwartz, P.C., Birmingham*
- Amelia K. Steindorff,**  
*Reynolds, Reynolds & Little, LLC, Birmingham*
- Mary Stewart Nelson Thompson,**  
*Fish Nelson & Holden, LLC, Birmingham*
- Brian Walding,**  
*Walding LLC, Birmingham*
- Joshua White,**  
*Stephens Millirons, PC, Huntsville*

**Attendees will receive a binder of materials at the seminar and will be able to download the materials after the conference.**



**Call 800-727-5257 or visit [mleesmith.com/AREL](http://mleesmith.com/AREL)**



The Alabama Real Estate Law Conference packs one day with leading authorities delivering critical law practice guidance on the hottest topics and some of the most complex issues you'll face.

❖ **Commercial real estate transactions.** Virginia Boliek will walk you through the loan process, explain how to negotiate key terms of the loan commitment, and review the preparation of legal opinions.

❖ **Curing title defects.** Amelia Steindorff will outline solutions to solve title problems, including corrective deeds or new deeds, releases, affidavits of facts, and other curative instruments.

❖ **Loan modification.** Brian Walding will review programs and incentives that are available for loan modification and will offer tips on how to negotiate the best possible loan modification for your client.

❖ **Preceding the closing date.** Mary Stewart Nelson Thompson will give pointers to use in making sure to dot the i's and cross the t's before the closing date.

❖ **Title litigation.** Joshua White will discuss title litigation—including the initiation and pleading requirements, burdens of proof and common defenses, and trial tactics.

❖ **Landlord and tenant law.** Trey Smith will give a legislative update of landlord-tenant law, discuss the landlord-tenant relationship from pre-lease considerations to eviction, and touch on issues such as fair credit reporting, the Fair Housing Act, and subsidized housing.

❖ **Ethical considerations.** Kevin Gray will explore ethical concerns that arise in the practice of real estate law, including conflicts of interest, the disclosure of defects in property, liability in title examination, and attorney fees.

# AGENDA

## DRAFTING DOCUMENTS TO CURE DEFECTS

8:30 A.M. TO 9:30 A.M.

**Amelia K. Steindorff**

*Reynolds, Reynolds & Little, LLC*

- ❖ Easements
- ❖ Corrective deeds/new deeds
- ❖ Releases and satisfactions of mortgages
- ❖ Affidavits of facts
- ❖ Additional curative instruments

## TITLE LITIGATION

9:30 A.M. TO 10:30 A.M.

**Joshua White**

*Stephens Millirons, PC*

- ❖ Common title issues
- ❖ How title issues arise
- ❖ Initiation and pleading requirements
- ❖ When title issues are typically discovered
- ❖ Burdens of proof and common defenses
- ❖ Defenses, strategies, and tactics

## MORNING BREAK

10:30 A.M. TO 10:45 A.M.

## PRECEDING THE CLOSING DATE

10:45 A.M. TO 11:45 A.M.

**Mary Stewart Nelson Thompson**

*Fish Nelson & Holden, LLC*

- ❖ Opening the closing: How to get started
- ❖ Review of the sale agreement
- ❖ Insured closing letters vs. a title policy
- ❖ Coordinating a settlement date and items not to be forgotten
- ❖ The reports arrive: Reading payoff letters, tax searches, and other data
- ❖ Receipt of closing package from the lender
- ❖ Circulation of documents for approval prior to the closing
- ❖ Other documents involved
- ❖ Example checklists

## LUNCH (ON YOUR OWN)

11:45 A.M. TO 1:00 P.M.

## LOAN MODIFICATIONS

1:00 P.M. TO 2:00 P.M.

**Brian Walding**

*Walding LLC*

- ❖ Programs and incentives available
- ❖ Submitting a loan modification request
- ❖ Handling your client's case
- ❖ Negotiating the best possible loan modification

# THE MECHANICS OF COMMERCIAL REAL ESTATE FINANCING

2:00 P.M. TO 3:00 P.M.

**Virginia S. Boliek**

*McGlinchey Stafford PLLC*

- ❖ Pros and cons of the different finance options
- ❖ Key regulatory issues and how lenders are handling them
- ❖ Walk-through of the loan process
- ❖ Negotiating key terms of the loan commitment
- ❖ Recourse vs. non-recourse; guarantees
- ❖ Preparing and reviewing loan documents
- ❖ Loan commitment and loan closing due diligence
- ❖ Preparing legal opinions

## AFTERNOON BREAK

3:00 P.M. TO 3:15 P.M.

## LEGAL ETHICS

3:15 P.M. TO 4:15 P.M.

**Kevin Gray**

*Bradley Arant Boult Cummings LLP*

- ❖ Conflicts of interest
- ❖ Disclosure of defects in property
- ❖ Liability in title examinations
- ❖ Attorney fees



## RESIDENTIAL LANDLORD-TENANT LAW

4:15 P.M. TO 5:15 P.M.

**G. Hampton (Trey) Smith, III**

*Zarzur & Schwartz, PC*

- ❖ Landlord-tenant law legislative update
- ❖ Pre-lease considerations
- ❖ Essential pro-active and remedial lease provisions, written vs. oral
- ❖ Repairs to make before possession
- ❖ Security deposits and personal guarantees: Collecting, retaining, and returning
- ❖ Late fees: How much?
- ❖ Scanning and qualifying prospective tenants legally
- ❖ Can you keep a list of "bad tenants" to share with other landlords?
- ❖ Fair credit reporting: What can you use to "qualify" a tenant?
- ❖ Fair Housing Act and low income housing programs
- ❖ Special circumstances
- ❖ Public and subsidized housing, mobile homes
- ❖ Statutory protections and differences in notices and timelines
- ❖ Eviction process
- ❖ Proper notices and timeline for them
- ❖ Summary possession and defenses
- ❖ Writ of Possession

# YOUR FACULTY



**Virginia S. Boliek** is Of Counsel to the law firm of McGlinchey Stafford PLLC in Birmingham. She has more than 25 years of experience in commercial real estate transactions. Prior to

joining McGlinchey Stafford PLLC, she was associate counsel in the commercial mortgage area of the investment department at Protective Life Corporation and an associate in what is now the financial institutions and financial services regulation area at Balch & Bingham LLP. Ms. Boliek is a past president and current board member of BirminghamCREW and a member of the Leadership Council of the Alabama Center for Real Estate (ACRE). She also serves on the Board of Directors of the Charitable Real Estate Foundation, which is affiliated with The Community Foundation of Greater Birmingham.



**Kevin Gray** is an attorney with Bradley Arant Boult Cummings LLP in Huntsville. His practice includes representing creditors, distressed borrowers, committees, and other stakeholders in bankruptcy litigation and workout

proceedings. Mr. Gray also represents borrowers and lenders in complex financing transactions and developers and owners in real estate matters. He has represented clients in medical, office, hotel, government, and retail projects, including negotiating purchase and sale agreements, leases, management agreements, and all forms of agreements dealing with shared ownership, mixed-use, and condominium developments.



**G. Hampton (Trey) Smith, III**, a member of Zarzur & Schwartz, P.C. in Birmingham, has over 20 years of experience in landlord-tenant law. He focuses his practice on real estate law, general civil law, probate law,

and bankruptcy law. He is a frequent speaker at professional education programs regarding unlawful detainer suits and procedures. Mr. Smith was retained by the Birmingham Board of Realtors to draft the new unlawful detainer statute.



**Amelia K. Steindorff** is a partner in the Birmingham office of Reynolds, Reynolds & Little, LLC, where her primary area of practice is real estate litigation, with an emphasis on title insurance matters. She is the chair of the Title Insurance Litigation

Committee of the American Bar Association's TIPS Section, and has been the co-author of the American Bar Association Tort Trial Insurance Practice Section's Annual Survey of Recent Developments in Title Insurance Law since 2012.



**Mary Stewart Nelson Thompson** is a member of Fish Nelson & Holden, LLC in Birmingham. Her expertise focuses on corporate law, contracts, insurance, mediation, and real property law. She leads the law firm's real property division,

which offers legal services such as real estate closings, foreclosures, and evictions. She also leads the law firm's mediation center, as a civil and appellate mediator on the State Roster for the Alabama Center of Dispute Resolution. She is a member of the Alabama State Bar Association and Birmingham Bar Association. Ms. Thompson has also served on the Membership Committee of the Birmingham Bar Association, and she frequently volunteers at the Jefferson County District Court Mediation Program.



**Brian R. Walding** is an attorney with Walding, LLC in Birmingham, where his main areas of practice include bankruptcy, creditors' rights and workouts, real property issues, transactions, commercial loans, and corporate counsel. He

is admitted to practice in Alabama and before the U.S. District Courts for Northern, Middle and Southern Districts of Alabama as well as the U.S. Bankruptcy Courts for the Northern, Middle and Southern Districts of Alabama. Mr. Walding is a member of the American and Birmingham bar associations; the American Bankruptcy Institute; and the Alabama State Bar.



**Joshua B. White** is a partner/shareholder with Stephens Millirons, P.C. in Huntsville and currently manages the Bankruptcy, Eviction and Litigation departments. He began practicing law in 2003 as a solo practitioner

specializing in real estate litigation and joined the firm in 2007. Mr. White is licensed to practice law in Alabama as well as Tennessee. He is admitted to practice in Alabama state courts and the U.S. District and Bankruptcy Courts for the Northern, Middle, and Southern Districts of Alabama. Mr. White represents local and national banks, mortgage lenders, and GSEs primarily in the areas of bankruptcy, ejectment/eviction, and related real estate/title litigation. He has also represented several national title insurance companies in title claim litigation and resolution. He has served as the Huntsville Madison County Bar Association Fee Dispute Committee Chair from 2013 until the present.

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# PROGRAM DATE AND LOCATION

Friday, November 3, 2017

Embassy Suites Birmingham – Hoover  
2960 John Hawkins Pkwy  
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(205) 985-9994

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## CONFERENCE FEES

- ❖ \$337 for full program
- ❖ \$257 for attendees from same firm
- ❖ \$147 for materials only

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## CONFERENCE DETAILS

Registration begins at 8:00 a.m.

The conference begins at 8:30 a.m.

and concludes at 5:15 p.m.

Lunch break of 1 hour and 15 minutes (lunch not provided)



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