

**MINUTES OF MEETING OF SECTION COUNCIL
REAL PROPERTY SECTION
TUESDAY, SEPTEMBER 9, 2008**

A meeting of the Section Council for the Real Property Section of the MSBA was held on Tuesday, September 9, 2008 at Chiapparelli's in Baltimore, Maryland. The following Section Council members were present: Hilary O'Connor (Chair), Michael Swanenburg (Past Chair), Ronald Deutsch, Marc Bergoffen, Cynthia Berman, Lila Shapiro-Cyr, Mark Dopkin, Deborah Dopkin, Dave Freishstat, Rick Froehlinger, Nicole Lacoste, Edward Lee, Searle Mitnick, Cynthia Motsko, Jeffrey Nadel and Dave Severn (foreclosure section chair) .

1. Call to Order – Ms. O'Connor called the meeting to order at 6:20 p.m.
2. Prior Meeting Minutes – The prior meeting minutes were approved and have been posted on the website.
3. Chair's Report
 - (a) New Members – Ms. O'Connor asked members to introduce themselves for the benefit of new members to the Section Council and guests attending the meeting.
 - (b) Commission to Study Title Insurance – Ms. O'Connor reported that Paul Rieger and Patrick Martyn have been appointed to the Commission, but that there have not been any meetings yet.
 - (c) Real Property – Tax Law Section Networking Event. Ms. O'Connor reported that she had been contacted by the Chair of the Tax Law Section to hold a networking event for the two Sections. A tentative date has been set for March, 2009. The committee intends to conduct the event at either the University of Maryland or the University of Baltimore. Searle Mitnick volunteered to work on this event.
 - (d) Title Insurance Issues – Public Protection Committee - This Committee plans to address fraudulent rescue scams and other issues requiring protection over the upcoming year. Ms. O'Connor reported that Mr. Darren Kadish has requested a volunteer from the Real Property section to serve as a liason. Ms. O'Connor asked for volunteers from the Section Council. Mr. Nadel reported that it is his understanding that Vicki Schultz may join the Committee.
 - (e) Proposal Bylaw Revisions – Board of Governors – Ms. O'Connor reported that a small committee worked with the Business Law Section over the Summer to create a position paper and proposed revisions to the Bylaws for the Board of Governors for the MSBA. The proposed changes focus on creating Board of Governor positions for members of the larger substantive law sections. She distributed the final version of the proposed changes and the position paper. Mr. Swanenburg reported as

to the efforts that occurred last year on the project and the goal of generating more participation from the larger sections of the MSBA. Ms. O'Connor noted that the committee members worked hard on a proposal that was distributed to ensure that it reflected a positive tone.

4. Committee Reports

(a) Legislative Committee – (Lila Shapiro-Cyr, Chair) Mrs. Cyr reported that the Legislative Committee is awaiting any new legislation that will promulgated during the upcoming Session and that it has not been active over the Summer.

(b) Real Estate Discussion Group – (Rick Froehlinger, Chair) Mr. Froehlinger reported that a lunch meeting was held on September 9, 2008. Attendance was good and various Baltimore government officials spoke regarding land use issues. There was a brief discussion regarding who may attend the luncheons and the need for exceptions in certain circumstances.

(c) Technology Committee: (Mark Dopkin – Chair).

(i) Webcasting – Ms. O'Connor noted that Gore Brothers has agreed to continue webcasting the lunch meetings and spoke positively about their efforts.

(ii) List Serve – Mr. Dopkin reported that the listserve has not had many issues lately, but that he has reminded users that the listserv is not to be used for job or office space solicitations.

(iii) Website Monitoring - Mr. Dopkin also discussed that various commercial enterprises outside of the United States may be using the MDLANDREC website without contributing to the cost of operation. There was a brief discussion regarding a subscription fee.

(iv) E-Filing – Mr. Dopkin reported that the Administrative Office of the Courts is proceeding, albeit slowly, on the e-Filing, and led a discussion regarding the use of funds set aside for this purpose.

(d) Education:

(i) Advanced Real Property Institute – Ms. Berman reported that the event will be held on October 29, 2008 at the Tremont Grand Hotel. She noted that topics will include Revised AIA forms, foreclosures under the new rules, controlling interests and critical area law. She indicated that speakers should be submitting materials shortly and that planning is under way.

(ii) MICPEL Liason – No report.

(iii) Mentor Program – Ms. O'Connor reported that Guy Flynn will serve as Chair of the Education Committee for the upcoming year. He submitted a report stating that there should be a fall meet and greet for the mentor program and that the Kimberly Min is assisting.

(iv) Annual Meeting – The Annual Meeting will be held on Friday June 12, 2009. Ms. O'Connor reported that the committee will be organized in the coming months.

(e) Foreclosure Committee – (Jeff Nadel, Chair) – Mr. Nadel reported that the Committee was active in reviewing and commenting on the 159th Rules Report with regards to the 1400 Series Rules that were approved on July 22, 2008. Many meetings were held to review and correct gaps in the new proposed Rules. He stated that the proposed rules will be submitted on September 19, 2008 for publication and comment in the Maryland Register. Thereafter they will be forwarded for approval by the Court of Appeals.

(f) Alternate Dispute Resolution Committee (Tom Barbuti, Chair) – No Report.

(h) Land Use Committee – (David Freishtat, Co-Chair; Nancy Regelan, Co-Chair). No report.

(i) Land Records Oversight - (Bill Hoffman and Sara Arthur, Chair) No report. Ms. O'Connor stated that this committee will be evaluated to determine if it should remain active at this time.

(j) Planning Committee (Nicole Lacoste, Chair) – Ms. Lacoste reported that a survey will be developed over the coming year.

5. Other Reports/Updates – No additional reports or updates.

6. New Business

(a) Meeting – The next meeting of the Section Council will be held on Tuesday, November 11, 2008, at 6:15 p.m. at a place to be determined.

The meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,

Ronald S. Deutsch, Secretary