

NORTH CAROLINA
BAR ASSOCIATION
seeking liberty + justice

The Past, Present and Future of Real Estate Practice

2021 Real Property Fundamentals Program

Thursday–Friday, October 7–8, 2021
Live Webcast

NORTH CAROLINA: 12.00 MCLE HOURS

Includes:

- 1.00 Ethics/Professional Responsibility
- 1.00 Technology Training
- 1.00 Trust Account Management

Qualifies for NC State Bar Real Property Law Specialization
Planned by the NCBA Real Property Section

REGISTER TODAY

Save 10% if registration is received by September. 16, 2021

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PROGRAM SUMMARY

The *2021 Real Property Fundamentals Program* is designed to help attorneys who are new to the practice of real estate law as well as seasoned attorneys looking to hone their skills. Review the basics of real estate practice and combine them with tools to practice in a modern environment. Experienced speakers provide tips on everything from searching title and understanding title insurance to avoiding cyber fraud and managing trust accounts. Designed to accommodate all types of dirt lawyers, this program covers both residential and commercial aspects of real estate.

WHAT PEOPLE ARE SAYING

- “ *Excellent program. The speakers were extremely knowledgeable and the materials provided were very helpful.*
- “ *Subjects were relevant and useful, [speakers] were knowledgeable and engaging and the program had a terrific pace. Great program!!*
- “ *This was an excellent program. Several speakers took areas of law I thought would be incredibly boring and made it absolutely wonderful. Who would have guessed that examining legal descriptions for 40 minutes could be so interesting?!*

– Attendees, 2019 NCBA Real Property Fundamentals, October 2019

AGENDA

THURSDAY, OCTOBER 7, 2021 | 8:55 AM – 4:10 PM

8:55 **Welcome and Introductions**

9:00 **Mobile Home Title Basics | Bowman**

Mobile homes can be the source of a great deal of anxiety for any real estate attorney. Learn how to resolve typical manufactured-home issues, like canceling a certificate of title to real estate, and receive a refresher on DMV forms and processes related to mobile home titles.

10:00 **Break**

10:10 **Title Searching: Processes and Tips for a Thorough Search | Bowling**

Searching title to real property in North Carolina requires not only knowledge of real property law, but also a consistent methodology and attention to detail. Gain insight into the processes, forms and tips included in this session for a standard full title search, and hear best practices for a thorough and accurate search.

11:10 **Break**

11:20 **Trust Account Management*^ | Hodge**

This session provides a refresher on the requirements of Rules of Professional Conduct Rule 1.15 and includes a review of recent ethics opinions interpreting the trust account management rule. Attendees also receive information about protecting client funds against fraud and theft.

12:20 **Lunch Break**

12:50 **Zoning and Land Use Basics | Morphis**

This session introduces attorneys to the basics of zoning and land use law in North Carolina. Topics include an overview of legislative and quasi-judicial zoning decisions, the new N.C.G.S. § 160D, and what questions an attorney should ask as part of due diligence prior to closing. Then examine other possible land use permitting issues which could affect a real estate closing.

1:50 **Break**

2:00 **Cyber-Securing Your Practice and Staying Safe in an Online World* | Brown**

Today's cyber age creates many opportunities for attorneys to build and grow a practice. Unfortunately, bad actors leverage those to their advantage as well. Explore common threats facing law firms today, especially those targeting real estate practices, including wire fraud, fake checks and data breaches. Then learn some quick and easy tips and tools to help foil the scammers and keep you and your practice safe.

AGENDA

3:00 **Break**

3:10 **Title Insurance for Newbies: The What, Why and When** | Harrison
Review title insurance and the what, why and when everyone should understand — what it is, why clients should have it and when a title policy can help. Consider claim avoidance and hear practical tips for working with title insurance companies.

4:10 **Adjourn**

FRIDAY, OCTOBER 8, 2021 | 8:55 AM – 3:10 PM

8:55 **Welcome and Introductions**

9:00 **Estates and Other Special Proceedings** | Cockrell and Geiseman
Delve into interesting situations you may encounter in your real estate closings, including sales involving decedent's estates and incompetent individuals.

10:00 **Break**

10:10 **Foreclosures and eCourts** | Cockrell, Geiseman and Williams
Using the top 10 case examples, receive an overview of foreclosures under a deed of trust and through a homeowners' association. Then explore the eCourts system and analyze how it is changing your real estate law practice.

11:10 **Break**

11:20 **Easements: The Good, the Bad and the Ugly** | Nichols
This session introduces various types of common easements — including utility easements, access easements and master declarations — and explores how they can be created and how they can impact the use and value of a tract of property. Hear examples of these various easements and the elements an attorney should consider when creating a new easement or when evaluating the impact of an existing easement.

12:20 **Lunch Break**

12:50 **Tax Deferral of Capital Gains for Real Estate Investors** | Branch
Gain insight into how real estate investors can defer and/or permanently exclude the capital gains on sales of investment property. Discuss how the capital gain is treated under U.S. Internal Revenue Code § 1021 when investors are looking to reinvest in other property and how it is treated if investors invest in qualified opportunity zones.

AGENDA

1:50 **Break**

2:00 **Eminent Domain** | Needham

Review the basics of eminent domain, including practical application for your practice, appraisal mechanics and ways to put your best evidence forward in a case. Then analyze relevant case law and emerging issues in the field of condemnation law.

3:00 **Break**

3:10 **Tips for Starting Your Own Real Estate Practice** | Walker

Thinking about starting your own practice, or starting a new practice area within your firm? Hear tips that can help set you up for success when entering the field of real estate law. Topics include starting your own real estate law practice and starting a new practice area within your firm.

4:10 **Adjourn**

* Indicates portion providing Ethics/Professional Responsibility credit

‡ Indicates portion providing Technology Training credit

^ Indicates portion providing Trust Account Management

The views and opinions expressed are those of the individuals and do not necessarily represent official policy, position or views of the North Carolina Bar Association.

PROGRAM DETAILS

SPEAKERS

- **Teresa L. “Teri” Bowling**, Manning Fulton, Raleigh
- **Sarah E. Bowman**, Worley & Peltz PLLC, Asheville
- **Felicia Branch**, Branch Tax Law, Durham
- **C. Patrick F. Brown**, Lawyers Mutual Liability Insurance Company of North Carolina, Cary
- **Samantha L. Cockerell**, Wake County Clerk of Superior Court, Raleigh
- **Michael J. Geiseman**, Wake County Clerk of Superior Court, Raleigh
- **Elizabeth R. Harrison**, Fidelity National Title Group North Carolina, Raleigh
- **Leonor B. Hodge**, North Carolina State Bar, Raleigh
- **T.C. Morphis Jr.**, The Brough Law Firm PLLC, Chapel Hill
- **David D. Needham**, NC Eminent Domain Law Firm, Raleigh
- **Charles E. “Chuck” Nichols Jr.**, Weatherspoon Voltz LLP, Raleigh
- **Kelly S. Walker**, Ivey Eggleston, Greensboro
- **F. Blair Williams**, Wake County Clerk of Superior Court, Raleigh

PLANNERS

- **Michele A. Callaway**, Adams Howell Sizemore & Adams PA, Raleigh
- **Randy H. Herman**, BA Folk, Raleigh

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NCBA Real Property Section Member: \$465 / \$420 Early

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Live Webcast (986LWC)

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Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.

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Cary, NC 27513

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cle.ncbar.org/courses/20316

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