



NYSBA CLE

Thursday, November 1, 2012
Albany

Thursday, November 1, 2012
Long Island

Thursday, November 8, 2012
Westchester

Friday, November 9, 2012
New York City



INCLUDES
0.5 ethics credits
See inside for
more details.

Representing Purchasers and Sellers of Residential Condominiums, Cooperatives and Homeowners Associations

Topics to be addressed include:

- Sales Pursuant to Offerings Plans
- Re-Sales
- Ethical Considerations
- Specific issues regarding Title Insurance, Transfer/Managing Agents, and Home/Engineer Inspection

Register Now!

**Save Money, and Guarantee
Your Seat at the Program!!!**

NYSBA Co-Sponsors:
Real Property Law Section
Committee on Continuing Legal
Education



Program Description

The course will review the basic scope, steps and procedures for representing purchasers and sellers of condominium units, co-operative apartments and residences with mandatory membership in homeowners associations. Typical transactions, including sales pursuant to public offerings and private re-sales, will be examined from contract drafting and negotiation,

through preparation for closing, closing and post-closing requirements. Due diligence checklists, sample contracts, title insurance and lender requirements will be discussed. Ethical considerations will also be addressed.

The program at each location will emphasize regional customs and practice.

Who Should Attend: The course is appropriate for those familiar with transactions involving single-family homes who wish to learn more about transactions involving common interest communities. The program is also intended for practitioners with little or no experience in residential real estate transactions.

Agenda

8:30 – 9:00 a.m. Registration

9:00 – 9:25 a.m.

Introduction

- A. Program Overview
- B. Definitions
 - 1. "Common Interest Community"
 - 2. "Cooperative Interests in Realty"
 - 3. Martin Act (Registration of Offerings)
 - 4. Condominium
 - 5. Cooperative
 - 6. Homeowners Association
 - 7. Distinguishing from single family homes, multiple dwellings and PUD's

9:25 – 10:40 a.m.

Sales Pursuant to Offerings Plans

- 1. Offering Plans, Amendments, Enforcement and Role of the Attorney General
- 2. Sponsor Concerns
- 3. Representing a purchaser

10:40 – 10:55 a.m. Refreshment Break

10:55 a.m. – 12:35 p.m.

Re-Sales

- 1. Representing a seller of a Condominium, Cooperative or HOA unit
- 2. Representing a purchaser of a Condominium, Cooperative or HOA unit

12:35 – 1:35 p.m. Lunch (on your own)

1:35 – 4:20 p.m.

Specific Issues*

- 1. Title Insurance
- 2. Transfer/Managing Agents
- 3. Lenders, Mortgages, Closing Attorneys and Federal Regulations
- 4. Analyzing Financial Statements
- 5. Home/Engineer Inspections

**Refreshment break during this session – 15 minutes*

4:20 – 4:45 p.m.

Ethics

- 1. Engagement Letters
- 2. Fee Disputes
- 3. Conflicts of Interest
- 4. Escrows and Escrow Agents

4:45 – 5:00 p.m. Questions

5:00 p.m. Program Adjournment

Information and Policies

Pre-registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis.

Cancellations are easy – full refunds are given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) on the day prior to the date of the program for which you registered. To cancel, write the State Bar Service Center at One Elk Street, Albany, New York 12207; or fax (518) 487-5618; or call (800) 582-2452. If you do not cancel and do not attend the program, access to a complete set of course materials in PDF format will be forwarded to you via e-mail in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.

MCLE Credit: This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions.

Tuition Assistance: New York Attorneys may apply for tuition assistance to attend this program based on financial hardship. Any New York attorney who has a genuine financial hardship may apply for tuition assistance for a CLE program by completing a *Tuition Assistance Request Form* and returning it to the CLE Department no later than five working days prior to the program, explaining the basis of his/her hardship. If granted, the attorney will receive tuition assistance, depending on the individual's circumstances. For more details, please contact our State Bar Service Center at (800) 582-2452.

Group Discounts: Subject to availability and exclusions, group discounts are available to law firms and organizations sending 3 or more employees to any one NYSBA CLE program. Please contact Jane Nielsen, at (518) 487-5586 for more information.

CLE Coupon Plan: For more information on our CLE Coupon Plan offering substantial savings on full-day, live programs, please contact the Registrar's Office at 1.800.582.2452.

Recording of NYSBA Seminars in any form is strictly prohibited.

 **Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Cindy O'Brien at (518) 487-5585 or cobrien@nysba.org

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Program Faculty

Program Chair

Ira Goldenberg, Partner, Goldenberg & Selker, LLP, White Plains, New York

Local Panels

Albany: **Joseph M. Walsh** (Local Chair), Partner, Walsh & Walsh, Saratoga Springs, New York * **Erica F. Buckley**, Chief of Review, Real Estate Finance Bureau, Office of the Attorney General, New York, New York * **Paula A. Lapin**, Principal, Fix Spindelman Brovitz & Goldman, P.C., Fairport, New York * **J. Stephen Reilly**, Partner, Whiteman Osterman & Hanna LLP, Albany, New York * **Leon T. Sawyko**, Partner, Harris Beach PLLC, Pittsford, New York * **Thomas W. Spinrad**, Ianniello, Anderson & Reilly, P.C., Clifton Park, New York * **Rick Winkler**, CPA, Fred H. Winkler & Company, P.C., Schenectady, New York.

Long Island: **Richard Herzbach** (Local Chair), Partner, Certilman Balin Adler & Hyman, LLP, East Meadow, New York * **Hon. Jensen Ambachen**, Assistant Attorney General, Office of the Attorney General, Real Estate Finance Bureau, New York, New York * **Victor Bert**, Partner, Nelson & Pope, Engineers & Surveyors, Melville, New York * **Michelle E. Cohen**, Associate, Certilman Balin Adler & Hyman, LLP, East Meadow, New York * **Mitch Diamond**, Senior Partner, Diamond Law Group, Mineola, New York * **Howard A. Fuller**, Partner, Fuller Lowenberg & Co., CPAs, P.C, Hauppauge, New York * **Hon. Kenneth L. Gartner**, Partner, Lynn, Gartner, Dunne & Covello, LLP, Mineola, New York * **David Goldstein**, President, Total Community Management Corp. * **Jodi Hoffman**, Partner, Certilman Balin Adler & Hyman, LLP, East Meadow, New York * **Thomas C. Lowenberg**, Partner, Fuller Lowenberg & Co., CPAs, P.C, Hauppauge, New York * **Michael P. Sasso**, Counsel, First American Title Insurance Company, New York, New York * **Orest Tomaselli**, CEO, National Condo Advisors, LLC.

Westchester: **Ira Goldenberg** (Local Chair), Partner, Goldenberg & Selker, LLP, White Plains, New York * **Jennifer Martire Baukol**, Senior Mortgage Advisor, Continental Home Loans, Purchase, New York * **Ralph Berardi**, Senior Mortgage Loan Originator, Continental Home Loans, Purchase, New York * **James E. Carnicelli**, President, Carnell Engineering, Valhalla, New York * **Brian S. Cohn**, Manager, Gettry Marcus Stern & Lehrer, CPA, P.C., Woodbury, New York * **Mark D. Ginsburg**, Partner, Ginsburg & Redmond, PC, Hawthorne, New York * **Kenneth Jacobs**, Partner, Smith Buss & Jacobs LLP, Yonkers, New York * **Lewis Montana**, Partner, Levine & Montana, Peekskill, New York * **Joseph S. Petrillo**, President, All NY Title Agency, Inc., White Plains, New York * **Lewis Polishook**, Office of the New York State Attorney General, New York, New York * **Matthew Lee Renert**, Principal Attorney, Grievance Committee, Ninth Judicial District, White Plains, New York * **Ronald A. Sher**, Partner, Himmelfarb & Sher, LLP, White Plains, New York.

New York City: **Dennis H. Greenstein** (Local Chair), Partner, Seyfarth Shaw, New York, New York * **Michael J. Berey**, Michael J. Berey, Esq., Scarsdale, New York * **Ellen Bitton**, President and CEO, Park Avenue Mortgage Group, New York, New York * **Anne Reynolds Copps**, Principal, Law Office of Anne Reynolds Copps, Albany, NY * **Judith Kaufman**, Assistant Attorney General, Office of the Attorney General, State of New York * **Ross M. Levine**, Partner, Schwartz, Levine & Kaplan, PLLC, New York, New York * **Mark Motley**, Managing Agent, New York, New York * **Marissa Piesman**, Bureau Chief, Real Estate Finance Bureau, Office of the Attorney General, New York, New York * **Norman Prisand**, Partner, Prisand, Mellina, Unterlack & Co., LLP, Plainview, New York * **Samantha Sheeber**, Partner, Starr Associates LLP, New York, New York * **Lewis C. Taishoff**, Law Office of Lewis C. Taishoff, New York, New York * **Allen M. Turek**, Partner, Turek Roth Mester LLP, New York, New York * **Howard L. Zimmerman**, Howard L. Zimmerman Architects, P.C., New York, New York.

7.5 MCLE CREDITS: 7.0 Professional Practice; 0.5 Ethics.

This **basic-level** course has been approved for MCLE credit in **New York** for all attorneys, **including** newly admitted (less than 24 months). Newly admitted attorneys must attend the program in person to receive New York MCLE credit.

This program has also been approved for MCLE credit by the **State Bar of California** and the **Pennsylvania Continuing Legal Education Board** for **5.5** credit hours of substantive law and **0.5** credit hours of ethics. All inquiries regarding MCLE credits may be directed to **(518) 487-5606**.

This program has been approved by the **Board on Continuing Legal Education of the Supreme Court of New Jersey** for **7.5** hours of total CLE credit. Of these, **0.5** qualify as hours of credit for ethics/professionalism, and 0 qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law. This course does not qualify under any of the nine specified new admit areas, in five of which New Jersey attorneys admitted in 2009 or thereafter, in their first full two-year compliance period, must take 15 of their 24 required credit hours (see BCLE Reg. 201:2).

The New York State Bar Association's Committee on Continuing Legal Education has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York.

IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

NYSBACLE



New this Fall: All program materials will be distributed exclusively online in searchable PDF format, allowing attendees more flexibility in storing this information and allowing you to copy and paste relevant portions of the materials for specific use in your practice. A **CLE NotePad®** (paper) will be provided to all attendees at the live program site. The **CLE NotePad®** includes lined pages for taking notes on each topic, as well as any PowerPoint presentations submitted prior to printing. Traditional printed course books can be ordered at the program site for a discounted price and will be shipped subsequent to the program date.

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4 WAYS TO REGISTER

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or **518.463.3724** in Albany & surrounding area

Download an order form online
at www.nysba.org/CLEOrderForm and

Mail State Bar Service Center
New York State Bar Association
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Albany, NY 12207

Fax **518.463.5993**

Pricing **NYSBA members: \$150.00**
Non-members: \$250.00
Students: \$45.00

Note Registration fees for live programs increase ten days prior to the program date.

Source Code: CL4058

Program Locations

Important Note: If you plan to pre-register within 10 days of the program or register at the door, please call us at **(800) 582-2452** or in Albany and surrounding area, dial **(518) 463-3724**, to verify that the program is not sold out or that the date or location has not been changed. Those who pre-register in advance of the program will automatically be notified of any such changes and will receive a full refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please pre-register as early as possible.

Thursday November 1, 2012 Albany PC: 0D151	New York State Bar Association One Elk Street Albany, NY 12207 (518) 463-3200	Thursday November 8, 2012 Westchester PC: 0D157	Westchester Marriott 670 White Plains Road Tarrytown, NY 10591 (914) 631-2200
Thursday November 1, 2012 Long Island PC: 0D153	Long Island Marriott 101 James Doolittle Boulevard Uniondale, NY 11553 (516) 794-3800	Friday November 9, 2012 New York City PC: 0D154	Affinia Manhattan 371 Seventh Avenue at 31st Street New York, NY 10001-3984 (212) 563-1800

 See our Fall 2012 schedule online at www.nysba.org/cle

REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!

NYSBA CLE *presents*

Representing Purchasers and Sellers of Residential Condominiums, Cooperatives and Homeowners Associations



INCLUDES
0.5 ethics credits
See inside for more details.



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