



# HOT TOPICS IN REAL ESTATE 2016



Co-Sponsored by the Tennessee Land Title Association  
and the Tennessee Bar Association

**8:00 - 8:30**      **Registration**

**8:30 - 9:15**      **Tennessee Real Estate Case Law Update**  
**Josh Denton, Gullett Sanford Robinson & Martin PLLC**

This interactive session is designed to educate practitioners about the most recent developments and trends in Tennessee real estate law, with a focus on Tennessee decisions from the prior year.

**9:15-10:00**      **Closing the Loan: Current Trends in Real Estate Finance**  
**Elizabeth Sauer, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC**

Join us as we explore the various types of real estate loans and supplemental financing options currently available to Borrowers and how to close a deal from start to finish. Topics will include current market trends with respect to negotiated points, the impact of post-Dodd-Frank and Basel III lending and lead time items that can delay closings.

**10:00-10:15**      **Break**

**10:15-11:00**      **IRC Section 1031 Tax Deferred Exchanges**  
**Claudia Kiernan, Fidelity National Title Group**

Rising real estate values, higher tax rates and new taxes are some of the reasons that 2016 has seen a sharp increase in the number of real estate investors who structured their transactions as 1031 tax deferred exchanges. The 1031 Tax Deferred Exchange presentation will review the 1031 rules, regulations, benefits and other concepts necessary for a successful 1031 exchange.

**11:00-12:00**      **TILA-RESPA Integrated Disclosure and Ethical Considerations**  
**Andy Maloney, Nashville Title Insurance Corp.**

A year has passed since the implementation of TRID/Know Before You Owe. What have we learned and what has changed? This program will review how TRID is working in the real world and what the future holds.

**12:00-12:45**      **Lunch (provided)**

**12:45 - 1:45**      **Mobile Homes & Advanced Title Issues**  
**Josh Hopkins, Rubin Lublin**

This one hour session will focus on: 1) the insurability of mobile homes, including underwriter requirements for the issuance of an ALTA 7 Endorsement and procedures for proper De-Title of a mobile home; and 2) advanced title issues giving rise to title claims.

**1:45 - 2:15**      **Lender Amendment To Condo Act; Proposed HOA Act**  
**Steve Baker, Waller Lansden Dortch & Davis, LLP**

Explanation of new lender priorities under 2016 amendment to the Condominium Act. Review of proposed HOA Act.

**2:15-2:45**      **TennCare and Tennessee Real Estate: What Real Estate Professionals Need to Know**  
**Jessica Webb-Ayer, Fidelity National Title Group**

This presentation will provide an overview of how TennCare affects real estate in Tennessee. It will provide a summary of TennCare, the history of TennCare, and how it relates to real estate transactions in Tennessee.

**2:45 - 3:00**      **Break**

**3:00 - 3:30**      **Tennessee Legislative Report**  
**Charles B. Welch, Jr., Farris Mathews Bobango Public Strategies, LLC; TNLTA Legislative Counsel**

Review legislation of interest to real estate professionals enacted in 2016 and preview legislation to be considered in 2017.

**3:30 - 4:30      And the Survey Says? New Benefits Come with New Obligations Imposed on Those Ordering the Survey**

**Eugene R. McCullough, Esq.**, *Pershing, Yoakley and Associates*

Effective February 23, 2016, the American Land Title Association® (ALTA®) and the National Society of Professional Surveyors, Inc. (NSPS) have revised the “Minimum Standard Detail Requirements for ALTA®/NSPS Land Title Surveys,” including the Table A optional survey responsibilities and specifications. Of particular interest to the title community, this revision defines the role of those requesting survey services (i.e. closing attorneys and title agencies). Under the new standards, certain title and property related documents must be provided to the surveyor in order to be shown on the survey. Understanding the new standards will enable title professionals to custom draft future survey requests to avoid liability.