

VIRGINIA STATE BAR  
Real Property Section  
Minutes of the 2017 Fall Meeting of  
the Board of Governors and Area Representatives  
September 15, 2017

The 2017 Fall Meeting of the Board of Governors and Area Representatives for the Virginia State Bar Real Property Section was held Friday, September 15, 2017, at the offices of Virginia Continuing Legal Education (VaCLE) in Charlottesville, Virginia. The meeting was called to order by Chairperson Whitney J. Levin at 10:16 a.m. after brief difficulty with the conference call technology. An attendance sheet was circulated and those attending by conference call were asked to email or text the secretary. The list of attendees in person and by conference call is attached to these minutes.

The minutes of the 2017 annual meeting of the section were circulated before the meeting. Steve Gregory moved adoption of the minutes, with Eric Zimmerman seconding the motion, which passed unanimously. (Note: the 2017-18 section secretary notes the minutes of the June 16, 2017, meeting refer to it as the Spring Meeting of the Board of Governors and Area Representatives, rather than the 2017 annual meeting of the section; likewise, those minutes referred to approval of minutes of a meeting on March 3, 2017, as being for the Winter Meeting rather than the Spring Meeting.)

Chairperson Levin reported that expenditures for 2016-2017 exceeded the approved budget by about \$4500. The excess was absorbed by the Virginia State Bar (VSB) but no concern was raised by VSB staff. Nonetheless, the cost of providing lunch for anyone other than board members, area representatives, or committee chairs attending the spring meeting or advanced CLE program probably cannot be covered as a regular budget expense any longer. Various alternatives for dealing with that expense were suggested and discussed. Tracy Banks from VaCLE suggested the issue could be resolved with section officers; Whitney Levin suggested working through the Programs Committee. (Note: the resolution may come before the board at the 2018 Winter Meeting.)

The Membership Committee did not have a meeting or submit a formal written report. Committee Chairperson Ron Wiley reported the committee planned to continue the ongoing initiatives begun under Philip Hart's leadership. Diana D'Allessandro (Pesner Kawamoto), Matson Coxe (Fidelity National Financial), and Tim Kelsey (WoodsRogers-Charlottesville) were proposed as new Area Representatives. Upon motion duly made and seconded, they were unanimously approved and welcomed.

Steve Gregory reported for the Fee Simple Committee, having also submitted a written report (attached). He verbally reported they had gotten just a few applications for the student editorial assistant position even though the law school liaisons had been asked to invite applications from students at all the Virginia law schools. He hoped to make the final selection within a few days. David Helscher suggested an article on getting rid of timeshares would be useful.

The dates for the annual advanced real estate seminar have been set for March 2-3, 2018, at Kingsmill Resort in Williamsburg. The dates for the annual real estate practice seminar remain to be determined. Tracy Banks raised a question regarding continuing to offer the annual real estate practice program somewhere in the southwestern part of the Commonwealth; the consensus was that the live program should be offered there.

The section's participation in the 2018 VSB Annual Meeting was discussed. Whitney Levin and Vice-Chair Kay Creasman will be attending the fall meeting of VSB section and conference chairs Tuesday, September 19, 2017, at which time they may be able to approach another VSB section about co-sponsoring a program of mutual interest and submitting the proposal to the Better Annual Meeting Committee. (Note: although a consensus supported approaching the tax law section, after the meeting Chairperson Levin was contacted by the Local Government Section chairperson about co-sponsoring a program on affordable housing along with the Construction Law Section; our section officers conferred by email and agreed our section should agree to co-sponsor such a program.)

Suggestions were made that FIRPTA issues could fit within a possible annual meeting program listed by the Better Annual Meeting Committee, "Ethical Implications of Dealing with Non-U.S. Citizens." Others endorsed "The Path to Lawyer Well-Being: Practical Recommendations for Positive Change," also listed by the Better Annual Meeting Committee as a possible program.

It was suggested that the Technology Committee add officer and board member email addresses to the section website and confirm recent board and committee roster changes are made on the website.

Written reports submitted by the substantive committees are incorporated into these minutes; some written reports were summarized verbally by representatives of their committees. Jeremy Moss reported on behalf of the Common Interest Community Committee that the VSB had published a public information pamphlet written by the

committee on resales in common interest communities and the pamphlet is available on the VSB website.

Whitney Levin reported that she would be approaching a recently-appointed circuit court judge whose private practice had included real estate law about becoming the judicial liaison to the section. David Helscher indicated he knew of a recently-retired judge who also might be willing to be the section's judicial liaison if the other judge was unwilling.

Max Wiegard and Ben Leigh reported on activities of the Virginia Bar Association Real Estate Committee, including recommending legislation re-codifying Title 55 of the Code of Virginia. Larry McElwain commented favorably on scheduling the VBA committee's fall CLE and social event to coincide with our section's fall meeting. Max Wiegard and Jeremy Moss encouraged everyone to attend the VBA event later in the day.

No other new business was introduced. The meeting adjourned at 11:45 a.m. with lunch for those able to stay for a program planning discussion afterward.

Attachments:

- Attendee list
- Approved June 16, 2017, meeting minutes
- Written committee reports

VSB Real Property Section  
2017 Fall Board of Governors and Area Representatives  
Meeting Attendees  
September 15, 2017

In-person:

Connor Childress  
John David Epperly  
Matson Coxe (new AR)  
Lori Schweller  
Steve Gregory  
Garland Gray  
Eric Zimmerman  
Tracy Winn Banks (VaCLE)  
David Helscher  
Blake Hegeman  
Sarah Louppe Petcher  
Wayne Glass  
Christina Meier  
Cynthia Nahorney  
Hope Payne  
Kathryn Byler  
Jeremy Moss  
Rick Chess  
Cooper Youell  
Larry McElwain  
Robert E. Hawthorne, Jr.  
Karen Cohen  
Lewis Biggs  
Ben Leigh  
Max Wiegard  
Whitney Levin  
Kay Creasman  
Ron Wiley

Conference call:

Randy Howard  
Jim Johnson  
Kathy Crain  
Michelle Rosati  
Paula Caplinger  
Paul Melnick  
Susan Walker  
Brian Dolan  
Cart Reilly  
Rosalie Doggett  
Tara Boyd

Board of Governors/Officers  
(included above; quorum = 5)

Lori Schweller  
Steve Gregory  
Blake Hegeman  
Kathryn Byler  
Rick Chess  
Lewis Biggs  
Rosalie Doggett  
Whitney Levin, Chair  
Kay Creasman, Vice-Chair  
Ron Wiley, Secretary-Treasurer  
(Absent: Mark Graybeal, Karen Cohen)