

## Important Updates and Helpful Tools for Real Property Practitioners



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**ORIGINAL PROGRAM DATE**

March 31, 2022

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**AVAILABLE MEDIA TYPES**

Video & Audio MP3

*Presented in partnership with WSBA  
Real Property, Probate and Trust Section*

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### REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live webcast on March 31, 2022, in Seattle, WA. If you attended the live webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three year reporting period.

### DESCRIPTION

In this CLE you'll learn about and discuss timely issues facing Real Property attorneys. We have assembled colleagues from across the state to present on: Updates to the Nonprofit Corporation Act, COVID and Residential Landlord Tenant Law, updates to the ALTA Title Insurance policy, 1031 Exchanges and Partition Actions. We will conclude with a legal ethics credit session devoted to what we can learn from the RPCs, civility and professionalism in the current times.

### AGENDA

#### 1 New Washington Nonprofit Corporation Act

The New Act, and nearly all of its provisions, went into effect on January 1 of this year with the goal of modernizing the prior Act. We will discuss the three areas most affected by the New Act and how practitioners and their clients will be affected.

*David Lawson – Davis Wright Tremaine LLP, Seattle, WA*

*Judith Andrews – Apex Law Group, Seattle, WA*

#### 2 COVID and Residential Landlord Tenant Law

The Residential Landlord-Tenant Act has experienced sweeping changes over the last three years. The COVID pandemic caused municipalities, the Governor, the Courts, and legislature to implement aggressive tenant protections, some of which will linger beyond the state of emergency. In this session, you will learn about continuing COVID statutory tenant protections and the new cause eviction statute and various other changes to the RLTA. Please join us for this critical update in residential Landlord-Tenant law.

*Eric Steven – Eric Steven Law, P.S. Spokane, WA*

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### 3 1031 Exchanges

IRC Section 1031 is a tax saving tool that allows the Seller of real property to defer payment of capital gains tax and in some cases avoid payment completely. This course will take you through IRS section 1031 exchanges from start to finish. We will cover basics such as time lines and qualified property as well as more advanced issues such as reverse exchanges, Seller financing, related party exchanges, drop and roll and entity issues. If you are practicing transactional real estate work, you must understand this important tax tool.

*Craig Gourley – Gourley Law Group, Seattle, WA*

### 4 Partition Actions

In this session we will discuss the nuts and bolts of partition actions. We will discuss practical considerations before you file a partition action and the mechanics of a partition action after filing. During the discussion, we will work through the partition statute, RCW Chapter 7.52, as well as case law updates.

*Trish Usab – Paine Hamblen, Spokane, WA*

*Matthew Niemela – Paine Hamblen, Spokane, WA*

### 5 Updates to the ALTA policy

The title insurance industry is in the process of finalizing and filing new policy forms and endorsements based upon the 2021 ALTA Owner's and Loan Policy forms released last summer. This presentation will begin with a walk-through of how these forms get adopted and why the 2006 policy forms were revised. Then it shifts to an analysis of the changes in the policies as well as those endorsements and forms that need to be revised as a result. The presentation will conclude with a discussion of some additional resources that people can utilize in preparation of the changes.

*Kirk Strandjord – First American Title, Seattle, WA*

### 6 Civility and Professionalism and the RPCs

A broad overview of common ethics issues which arise on the WSBA Ethics Line with rules and tips for how to understand ethical challenges and fulfill our professional responsibilities. We'll discuss how we can use the Rules of Professional Conduct to act in the public interest, protect our client confidences, and promote civility.

*Jeanne Marie Clavere – Washington State Bar Association, Seattle, WA*