

52<sup>ND</sup> ANNUAL WILLIAM W. GIBSON, JR.  
**MORTGAGE LENDING AND  
SERVICING INSTITUTE**



September 13–14, 2018  
AT&T Conference Center ■ Austin, Texas

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 **Live Webcast \$595**

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Earn up to 13.00 Hours of Credit, Including 2.25 Hours of Ethics Credit

MCLE Credit Approved in TX, CA, and OK

Legal Specialization Approved for Real Estate Law, Consumer Law and Bankruptcy Law

Professional Accreditation Expected for TX Real Estate Commission, TX Appraiser, and TX Insurance

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**THURSDAY MORNING, SEP. 13, 2018**

**Presiding Officer:**  
 Christopher W. Christensen,  
 PeirsonPatterson, LLP, Dallas, TX

**8:00 a.m. Registration Opens**  
 Includes continental breakfast.

**8:50 a.m. Welcoming Remarks**

**9:00 a.m. .50 hr**  
**Texas Case Law Update**  
 Discuss recent and significant Texas cases for the last year.  
 Amanda R. Grainger, Winstead PC, Dallas, TX  
 J. Richard White, Winstead PC, Dallas, TX

**9:30 a.m. .50 hr ethics**  
**Texas Lawyers' Assistance Program**  
 Chris C. Ritter, State Bar of Texas, Austin, TX

**10:00 a.m. .50 hr**  
**Dealing With the Borrower's Tenants Before and After Closing, Defaults, and Foreclosure**  
 Examine a lender's rights and remedies and potential liabilities to its borrower's tenants.  
 Thomas M. Whelan, McGuire, Craddock & Strother, P.C., Dallas, TX

**10:30 a.m. Break**

**10:45 a.m. .75 hr**  
**Overview of 2017 Updated Construction Contracts with Key Negotiating Tips and Review Points**  
 Bruce Merwin, Thompson & Knight LLP, Houston, TX

**11:30 a.m. Pick Up Lunch**  
 Included in registration.

**LUNCHEON PRESENTATION**

**11:50 a.m. .75 hr**  
**Dodd-Frank Update**  
 The evolution of Dodd-Frank has the mortgage industry on edge. Get an inside perspective on the current state of the legislation, and what the future may hold.  
 Rodrigo Alba, American Bankers Association, Washington, DC

**12:35 p.m. Break**

**CONCURRENT SESSIONS**

**TRACK A: COMMERCIAL LENDING**

**Presiding Officer:**  
 Reid C. Wilson, Wilson, Cribbs & Goren, P.C., Houston, TX

**12:50 p.m. .50 hr**

**Effective Risk Management**  
 A textbook on the three legged stool – indemnity, insurance, and waivers of subrogation – contractual provisions for risk management. Also hear about mutual waivers and how to structure indemnities when a mutual waiver is provided, certificates, and self-insurance.  
 William H. Locke Jr., Graves, Dougherty, Hearon & Moody, Austin, TX

**1:20 p.m. .50 hr**

**Starting Work Early**  
 William A. Kramer, Republic Title of Texas, Inc., Dallas, TX

**1:50 p.m. .50 hr**

**Tax Reform: What's Changed for Real Estate?**  
 Survey the significant recent tax law changes affecting real estate investment.  
 Chris M. Goodrich, Crady Jewett McCulley & Houren, LLP, Houston, TX

**2:20 p.m. .50 hr**

**HVCRE Changes and Other Federal Codes, Restrictions and Guidelines to Commercial Real Estate Lending**  
 Hear an update on HVCRE, as well as those other important – but often unknown – federal codes, guidelines, and restrictions that impact commercial real estate lending, and get drafting suggestions to make sure your documents stay up to date.  
 Niles W. Holmes, Niles Holmes, P.C., Dallas, TX

**2:50 p.m. Break**

**TRACK B: RESIDENTIAL LENDING**

**Presiding Officer:**  
 Sheila Teimourian, Fannie Mae, Washington, DC

**12:50 p.m. .50 hr**

**Building Smart Legal Contracts: A Promissory Note**  
 Learn how to digitize existing or new contractual relationships and connect them to enterprise data sources, blockchains, or payment/invoicing systems.  
 Peter Hunn, Clause.io, New York, NY

**1:20 p.m. .50 hr**

**Litigation Against Real Estate Agents and Brokers**  
 Texas real estate salespersons and brokers are afforded extensive statutory protections against liability. Examine those statutory protections as well as favorable case law limiting the real estate professionals' scope of liability.  
 Craig Dowis, Thompson Coe, Dallas, TX

**1:50 p.m. .50 hr**

**Dodd-Frank Evolution: The Impact on Residential Lending**  
 What changes can residential lending expect as Dodd-Frank continues to evolve?  
 Nicholas Diieso, Citi, New York, NY

**2:20 p.m. .50 hr**

**New Texas Real Estate Commission Forms**  
 Effective May 15, 2018, TREC revised many of the mandatory use sales contracts for Texas realtors, implementing new protocols for the timely payment of earnest money, objections to title, and the proper use of contract addendums. It also created two new forms regarding hydrostatic testing by an interested Buyer, and the Buyer's ability to terminate a pending sales contract. Review these and other sales contract revisions.  
 Charles Fiscus, Stewart Title Company, Dallas, TX

**2:50 p.m. Break**

**TRACK C: LOAN SERVICING**

**Presiding Officer:**  
Tommy Bastian, Barrett Daffin Frappier  
Turner & Engel, LLP, Addison, TX

3:00 p.m. .50 hr

**Home Equity Amendments: Servicing Perspective**

Learn how the changes to the Texas Constitution relating to home equity liens affect a servicer handling loans in default.

Selim Hassan Taherzadeh, Taherzadeh, PLLC,  
Dallas, TX

3:30 p.m. .50 hr

**Disasters and Insurance**

Natural disasters have dominated new coverage in recent years . . . but what do they mean for loan servicers?

Ryan Wooten, Orrick, Houston, TX

4:00 p.m. .50 hr

**Foreclosure-Related Litigation Update**

Review recent federal and state court foreclosure-related litigation, including jurisdictional issues and common claims and defenses.

Jason L. Sanders, Sanders Collins PLLC, Dallas, TX

4:30 p.m. .50 hr

**Dead Debtors: The Problem, The Past, and The Plan**

Even after death, title issues exist that will haunt even the astute attorney or underwriter.

Robert D. Forster II, Barrett Daffin Frappier Turner & Engel, LLP, Addison, TX

5:00 p.m. Adjourn to Reception

**TRACK D: LOAN ORIGATION**

**Presiding Officer:**  
J. Cary Barton, Barton Benson Jones  
PLLC, San Antonio, TX

3:00 p.m. .50 hr

**Home Equity Amendments: Origination Perspective**

Explore developments pertaining to Texas home equity lending including SJR 60, a recent constitutional amendment, and recent home equity interpretations and agency guidance.

Michael K. O'Neal, Winstead PC, Dallas, TX

3:30 p.m. .50 hr

**Internet Fraud in Real Estate Closings**

All parties involved in a real estate transaction – including real estate agents, banks, policy makers, consumer groups, title insurers, settlement agents and real estate attorneys – need to stay vigilant. Learn the ABCs: awareness, best practices, and change in policy that is needed to protect your clients' money.

Justin Ailes, American Land Title Association,  
Washington, DC

4:00 p.m. .50 hr

**Lending By Individuals**

Small builders and property owners sometimes find it helpful to finance the sale of residential property that they own. Review the regulatory scheme – and possible exemption – that applies to such transactions.

Karen M. Neeley, Kennedy Sutherland LLP, Austin, TX

4:30 p.m. .50 hr

**ALTA Forms**

Compare Texas title insurance policies and the existing and proposed American Land Title Association (ALTA) policies, with consideration of the meaning, as interpreted by cases, and application of each form. Examine differences between the Texas endorsements and ALTA endorsements, and possible means to achieve similar coverage.

James L. (Jim) Gosdin, Stewart Title Guaranty  
Company, Houston, TX

5:00 p.m. Adjourn to Reception

**Presiding Officer:**

Brian C. Rider, The University of Texas  
School of Law, Austin, TX

8:00 a.m. Conference Room Opens  
Includes continental breakfast.

9:00 a.m. .50 hr

**Texas Case Law Update**

Discuss recent and significant Texas cases for the last year, with particular attention to cases involving new legal concepts or which materially alter or extend current jurisprudence.

Amanda R. Grainger, Winstead PC, Dallas, TX  
J. Richard White, Winstead PC, Dallas, TX

9:30 a.m. .50 hr

**UCC Security Interests in Real Estate Financings**

Address the creation and perfection of UCC security interests in real estate financing transactions.

Stephen C. Tarry, Vinson & Elkins LLP, Houston, TX

10:00 a.m. .50 hr

**Insurance Litigation Post-Harvey**

Review the most hotly contested issues in first party insurance claims and litigation arising out of the recent hurricane, including flood versus wind, special rules for TWIA claims, and the new "natural causes" amendments to the Texas Insurance Code.

William J. Chriss, Of Counsel, The Snapka Law Firm,  
Corpus Christi, TX

10:30 a.m. Break

10:45 a.m. 1.00 hr

**Digital Mortgages**

Hear from a panel of experts on how the new technologies are impacting mortgage lending and servicing, and what changes may be next on the horizon.

**Moderator:**  
Dawn Lewallen, First American Title Insurance  
Company, Houston, TX

**Panelists:**  
Jobe Danganan, Sindeo, Credible, San Francisco, CA  
Eddie Oddo, First American Title Insurance  
Company, CA  
Sheila Teimourian, Fannie Mae, Washington, DC

11:45 a.m. Pick Up Lunch

Included in registration.

**NETWORKING RECEPTION**

5:00 p.m. to 6:00 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

**M  
C  
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E**

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.00 hours, of which 2.25 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#179).

**FRIDAY AFTERNOON****Presiding Officer:**

**Celeste Embrey, Texas Bankers Association, Austin, TX**

**LUNCHEON PRESENTATION**

**12:05 p.m. .50 hr**

**Hands-on Bankruptcy Workshop (Live Institute Only)**

Tired of PowerPoints and talking heads? Here, attendees do the talking! Working in small groups, attendees learn some bankruptcy basics, and how a plan of reorganization can alter a secured creditor's rights. Participants not only get hands-on learning, but they could also win a prize!

**Moderator:**

Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX

**12:05 p.m. .50 hr**

**Cybersecurity Insurance (Webcast Only)**

Examine key insurance provisions and hear thoughts on evolving exposures impacting privacy and cyber insurance. (Recorded on July 25, 2018).

Dominic Keller, Willis Towers Watson, San Francisco, CA

Leslie C. Thorne, Haynes and Boone, LLP, Austin, TX

**12:35 p.m. Break**

**12:50 p.m. 1.00 hr | .25 hr ethics**

**Practical Advice for Cleaning Up Title Issues**

Title issues are common creatures, and there are often straightforward ways to resolve them. Get practical advice on clearing title issues quickly and efficiently.

Jerel J. Hill, Attorney at Law, Kingwood, TX  
Richard Melamed, Richard Melamed, PLLC, Houston, TX

**1:50 p.m. .50 hr**

**Hot Topics and Quick Tips**

Hear about recent developments and hot topics in mortgage lending and related real estate matters.

Brian C. Rider, The University of Texas School of Law, Austin, TX

Travis J. Siebeneicher, DuBois, Bryant & Campbell, L.L.P., Austin, TX

**2:20 p.m. Break**

**2:30 p.m. 1.50 hrs ethics**

**Mortgage Lending Ethics**

Explore selected topics in the ethics of mortgage lending and servicing.

**Moderator:**

Richard L. Spencer, Ferguson Braswell Fraser Kubasta PC, Houston, TX

**Panelists:**

Mary S. Axelrad, Gray Reed & McGraw LLP, Houston, TX  
Marilyn C. Maloney, Liskow & Lewis, Houston, TX

**4:00 p.m. Adjourn**

**INSTITUTE FACULTY AND PLANNING COMMITTEE**

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Of Counsel  
The Snapka Law Firm  
Corpus Christi, TX

JOBE DANGANAN  
Sindeo, Credible  
San Francisco, CA

HON. TONY M. DAVIS  
U.S. Bankruptcy Court, Western District of Texas  
Austin, TX

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Citi  
New York, NY

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Texas Bankers Association  
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New York, NY

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First American Title Insurance Company  
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RYAN WOOTEN  
Orrick  
Houston, TX

\*Planning Committee member

## HOW TO REGISTER

### Online:

www.utcle.org/conferences/ML18

### Mail:

The University of Texas  
School of Law  
Attn. CLE  
PO Box 7759  
Austin, TX 78713-7759

### Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or [service@utcle.org](mailto:service@utcle.org) at least 10 business days prior to the institute.

## REGISTRATION BENEFITS

**Before the Institute:** Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in "Your Briefcase" approximately 48 hours before the institute.

**After the Institute:** Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in "Your Briefcase."

**eConference:** Complimentary access to the eConference—with papers, slides, and audio/video—for CLE credit (TX and CA) you may have missed at the live conference. Available in "Your Briefcase" 6–8 weeks after the institute.

**TX MCLE Credit Reporting:** UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track your Texas MCLE credit claimed and reported through UT Law CLE in "Your Account."

**Your Account:** Activate "Your Account" online at [www.utcle.org](http://www.utcle.org). Your UT Law CLE Account is created for you as a first-time conference registrant (mail and fax registrations) with the email address(es) provided.

## Can't Make the Institute? Pre-Order the Accredited eConference Today

### eConference

The online eConference includes papers, slides, and audio/video—and CLE credit (TX and CA)—from this year's live Institute. Available in "Your Briefcase" through the user's account at [www.utcle.org](http://www.utcle.org) 6-8 weeks after the institute.

### Comprehensive Course Binders

Containing papers and slides from the live Institute, eBinders are available for download and printed binders can be ordered for delivery 4–6 weeks after the institute date. Shipping included.

## REGISTRATION FORM

PLEASE PRINT CLEARLY

ML18

Bar Card# \_\_\_\_\_  TX  Other State: \_\_\_\_\_  N/A

Name [ Mr. / Ms. ] \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

*Invoices, confirmations, and receipts are emailed to these addresses.*

### REGISTRATION—Includes Electronic Course Materials, Thursday and Friday Lunch, and Thursday Evening Reception

Special group registration rates available. Call 512.475.6700.

#### Select Registration Type

- Individual registration by September 5 ..... \$645  
 Individual registration after September 5 ..... \$695

#### Printed course binder available for an additional fee through September 5

*Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase" at [www.utcle.org](http://www.utcle.org).*

- Printed Course Binder ..... \$37.89  
*Price includes 8.25% Sales Tax*  
 Printed Course Binder for tax exempt registrants ..... \$35  
*(e.g., government employees and nonprofits)*

#### ◆ WEBCAST REGISTRATION

- Individual registration ..... \$595  
*Includes Electronic Course Binder Download (PDF) in "Your Briefcase" within your account at [www.utcle.org](http://www.utcle.org).*

NOTICE: Webcast **only** includes Track A: Commercial Lending and Track C: Loan Servicing. Approximately 6-8 weeks after the Institute, the audio from Track B: Residential Lending and Track D: Loan Origination, as well as the video from Commercial Lending and Loan Servicing, will be available in "Your Briefcase" at [www.utcle.org](http://www.utcle.org).

#### POST-CONFERENCE PRODUCTS

##### eConference—For Texas MCLE Credit

Complete eConference package includes all conference materials for download from "Your Briefcase" within your account at [www.utcle.org](http://www.utcle.org). Available 6–8 weeks after the live conference date.

- Individual eConference ..... \$595  
*Call 512.475.6700 to register additional participants.*

##### Course Binder<sup>†</sup>—For Research and Self-Study

Comprehensive Binder with papers and slides from the conference.

Available for delivery 4–6 weeks after conference date. Shipping included.

- eBinder Download (PDF) ..... \$225  
 Printed Binder ..... \$275  
<sup>†</sup>Texas customers—add 8.25% sales tax or include an Exemption Certificate ..... \$ \_\_\_\_\_  
*Sales tax will be invoiced separately on taxable orders for which payment does not include tax.*

**FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.**

##### eLibrary Subscription<sup>†</sup>—For Research and Self-Study

Access anytime, anywhere. Extensive resources—including audio, video, papers, and slides—from leading experts in dozens of practice areas, generated by UT Law CLE live conferences.

- eLibrary Annual Subscription ..... \$295  
<sup>†</sup>Texas customers—add 8.25% sales tax or include an Exemption Certificate ..... \$ \_\_\_\_\_  
*Sales tax will be invoiced separately on taxable orders for which payment does not include tax.*

TOTAL \$ \_\_\_\_\_

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- Check (make check payable to The University of Texas at Austin)  
 VISA  MasterCard  American Express  P.O.

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Authorized Signature \_\_\_\_\_



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Call  
**512.475.6700**

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**AUSTIN**

September 13–14, 2018

**CONFERENCE LOCATION**



**AT&T Conference Center**  
1900 University Avenue  
Austin, Texas  
877.744.8822 (reservations)

**Special Room Rate: \$189**  
Good through August 13, 2018  
Reference "Mortgage Lending 2018"  
when calling reservations.  
(subject to availability)

**Parking:**  
Free daily self-parking at UT garages.  
Separate fees apply for valet  
and overnight parking.

**KEY DATES**

- September 5, 2018**  
*Last day for early registration*  
add \$50 for registrations  
received after this time
- September 7, 2018**  
*Last day for full refund cancellation*
- September 10, 2018**  
*Last day for partial refund cancellation*  
\$50 processing fee applied
- September 13, 2018, 8:50 a.m.**  
*Institute begins*

**REASONS TO ATTEND**

UT Law's **William W. Gibson, Jr. Mortgage Lending and Servicing Institute** presents current developments and industry trends, offers practical information on real estate lending, financing and title issues, and provides a must-have set of materials and resources.

This year's highlights include:

- The latest developments in the evolution of Dodd-Frank and what it means for lending in Texas and nationwide
- Discussion of the recent *Home Equity Amendments* to the Texas Constitution
- A deep dive into *Digital Mortgages* from the title, technology, and lender perspectives
- *Practical Advice for Cleaning Up Title Issues* including how to identify frequent obstacles
- Focused sessions on Commercial Lending, Residential Lending, Loan Servicing, and Loan Origination
- Networking opportunities with industry leaders and fellow attendees, including a Thursday evening reception

Following the Institute, attendees receive supplemental on-demand programming to ensure they are able to satisfy their full 15.0/3.0 MCLE requirement. All this makes the Institute the definitive real estate finance course of the year.