

52nd Annual William W. Gibson, Jr. Mortgage Lending and Servicing Institute
September 13-14, 2018 • AT&T Conference Center • Austin, TX
September 13-14, 2018 • Live Webcast

Thursday Morning, Sep. 13, 2018

Presiding Officer:

Christopher W. Christensen, PeirsonPatterson, LLP - Dallas, TX

8:00 am In Austin Only	Registration Opens Includes continental breakfast.
8:50 am	Welcoming Remarks
9:00 am 0.50 hr	Texas Case Law Update 1 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. Seth Eaton, Winstead PC - Dallas, TX Amanda R. Grainger, Winstead PC - Dallas, TX
9:30 am 0.50 hr ethics	Texas Lawyers' Assistance Program Chris C. Ritter, State Bar of Texas - Austin, TX
10:00 am 0.50 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, including priority issues and SNDAs; lender approvals; the rights and remedies of the borrower's tenants against the lender or other purchaser-at-foreclosure for pre-foreclosure breaches of the lease by the borrower/landlord; collecting rents from the borrower's tenants under TARA between a borrower's default and foreclosure; and post-foreclosure ratification of leases otherwise extinguished by a foreclosure. Thomas M. Whelan, McGuire, Craddock & Strother, P.C. - Dallas, TX
10:30 am	Break
10:45 am 0.75 hr	Overview of 2017 Updated Construction Contracts with Key Negotiating Tips and Review Points Review the updated 2017 AIA documents, as well as some specialty AIA documents published for the first time or updated subsequent to 2007 with annotations. Also review some of the key 2017 updates in the AIA construction contracts, and hear key negotiating tips or review concerns when representing owners and lenders. Bruce Merwin, Thompson & Knight LLP - Houston, TX
11:30 am In Austin Only	Pick Up Lunch

Thursday Afternoon, Sep. 13, 2018

Presiding Officer:

Christopher W. Christensen, PeirsonPatterson, LLP - Dallas, TX

LUNCHEON PRESENTATION

11:50 am
0.75 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. Understand the regulatory movements and future issues that will impact mortgage lending laws.

Blake Chavis, Mortgage Bankers Association - Washington, DC

12:35 pm

Break

Track A: Commercial Lending

Presiding Officer:

Niles W. Holmes, Niles Holmes, P.C. - Dallas, TX

Special Notice: Live Webcast Includes Commercial Lending (Not Residential Lending)

The live webcast includes the Commercial Lending track but not the Residential Lending track. Materials for both tracks are available in the course materials. Approximately 6-8 weeks after the conference, the Commercial Lending video and Residential Lending audio will both be available in "Your Briefcase."

12:50 pm
0.50 hr

Effective Risk Management

A text book 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 pm
0.50 hr

Can You Fix an Early Construction Start?

Discussion of title insurance and statutory "fixes" to deal with mechanics liens that are not being released.

William A. Kramer, Republic Title of Texas, Inc. - Dallas, TX

1:50 pm
0.50 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 pm 0.50 hr	<p>HVCRE Changes and Other Federal Codes, Restrictions and Guidelines to Commercial Real Estate Lending</p> <p>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.</p> <p>Niles W. Holmes, Niles Holmes, P.C. - Dallas, TX</p>
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Track B: Residential Lending

Presiding Officer:

Sheila Teimourian, Fannie Mae - Washington, DC

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12:50 pm In Austin Only 0.50 hr	<p>Building Smart Legal Contracts: A Promissory Note</p> <p>Learn how to digitize existing or new contractual relationships and connect them to enterprise data sources, blockchains, or payment/invoicing systems.</p> <p>Houman Shadab, Clause.io - New York, NY</p>
1:20 pm In Austin Only 0.50 hr	<p>Litigation Against Real Estate Agents and Brokers</p> <p>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.</p> <p>Craig Dowis, Thompson Coe - Dallas, TX</p>
1:50 pm In Austin Only 0.50 hr	<p>Dodd-Frank Evolution: The Impact on Residential Lending</p> <p>What changes can residential lending expect as Dodd-Frank continues to evolve?</p> <p>Nicholas Diieso, Citi - New York, NY</p>
2:20 pm In Austin Only 0.50 hr	<p>New Texas Real Estate Commission Forms</p> <p>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.</p> <p>Charles Fiscus, Stewart Title Company - Dallas, TX</p>
2:50 pm	Break

Track C: Loan Servicing

Presiding Officer:

Tommy Bastian, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX

	<p>Special Notice: Live Webcast Includes Loan Servicing (Not Loan Origination)</p> <p>The live webcast includes the Loan Servicing track but not the Loan Origination track. Materials for both tracks are available in the course materials. Approximately 6-8 weeks after the conference, the Loan Servicing video and Loan Origination audio will both be available in "Your Briefcase."</p>
3:00 pm 0.50 hr	<p>Home Equity Amendments: Servicing Perspective</p> <p>Learn how the changes to the Texas Constitution relating to home equity liens affect a servicer handling loans in default.</p> <p>Selim Hassan Taherzadeh, Taherzadeh, PLLC - Dallas, TX</p>
3:30 pm 0.50 hr	<p>Flaws and Risks in Mortgage Insurance Requirements and Provisions</p> <p>Charles E. Comiskey, Brady Chapman Holland & Associates - Houston, TX</p>
4:00 pm 0.50 hr	<p>Foreclosure-Related Litigation Update</p> <p>Review recent federal and state court foreclosure-related litigation, including jurisdictional issues and common claims and defenses.</p> <p>Jason L. Sanders, Sanders Collins PLLC - Dallas, TX</p>
4:30 pm 0.50 hr	<p>Dead Debtors: The Problem, The Past, and The Plan</p> <p>Even after death, title issues exist that will haunt even the astute attorney or underwriter.</p> <p>Robert D. Forster II, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX</p>

Track D: Loan Origination

Presiding Officer:

J. Cary Barton, Barton Benson Jones PLLC - San Antonio, TX

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3:00 pm In Austin Only 0.50 hr	<p>Home Equity Amendments: Origination Perspective</p> <p>Explore developments pertaining to Texas home equity lending including SJR 60, a recent constitutional amendment, and recent home equity interpretations and agency guidance.</p> <p>Michael K. O'Neal, Winstead PC - Dallas, TX</p>
3:30 pm In Austin Only 0.50 hr	<p>Internet Fraud in Real Estate Closings</p> <p>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.</p> <p>Justin Ailes, American Land Title Association - Washington, DC</p>

4:00 pm In Austin Only 0.50 hr	Lending By Individuals <p>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.</p> <p>Karen M. Neeley, Kennedy Sutherland LLP - Austin, TX</p>
4:30 pm In Austin Only 0.50 hr	ALTA Forms <p>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.</p> <p>James L. (Jim) Gosdin, Stewart Title Guaranty Company - Houston, TX</p>
5:00 pm In Austin Only	Adjourn to Networking Reception <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

Friday Morning, Sep. 14, 2018

Presiding Officer:

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

8:00 am In Austin Only	Conference Room Opens <p>Includes continental breakfast.</p>
9:00 am 0.50 hr	Texas Case Law Update 2 <p>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.</p> <p>Amanda R. Grainger, Winstead PC - Dallas, TX</p>
9:30 am 0.50 hr	UCC Security Interests in Real Estate Financings <p>Address the creation and perfection of UCC security interests in real estate financing transactions.</p> <p>Stephen C. Tarry, Vinson & Elkins LLP - Houston, TX</p>
10:00 am 0.50 hr	Insurance Litigation Post-Harvey <p>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.</p> <p>William J. Chriss, Of Counsel, The Snapka Law Firm - Corpus Christi, TX</p>
10:30 am	Break

10:45 am 1.00 hr	<p>Digital Mortgages</p> <p>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.</p> <p>Moderator: Dawn Lewallen, Stewart Title Guaranty Company - Roswell, GA</p> <p>Panelists: Jobe Danganan, Sindeo, Credible - San Francisco, CA Eddie Oddo, First American Title Insurance Company - CA Sheila Teimourian, Fannie Mae - Washington, DC</p>
11:45 am In Austin Only	<p>Pick Up Lunch</p>

Friday Afternoon, Sep. 14, 2018

Presiding Officer:

Celeste Embrey, Texas Bankers Association - Austin, TX

LUNCHEON PRESENTATION

12:05 pm In Austin Only 0.50 hr	<p>Hands-on Bankruptcy Workshop (Live Conference Only)</p> <p>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!</p> <p>Moderator: Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas - Austin, TX</p>
12:05 pm 0.50 hr	<p>Cybersecurity Insurance (Live Webcast Only)</p> <p>Examine key insurance provisions and hear thoughts on evolving exposures impacting privacy and cyber insurance.</p> <p>Dominic Keller, Willis Towers Watson - San Francisco, CA Leslie C. Thorne, Haynes and Boone, LLP - Austin, TX</p>
12:35 pm	<p>Break</p>
12:50 pm 1.00 hr 0.25 hr ethics	<p>Practical Advice for Cleaning Up Title Issues</p> <p>Title issues are common creatures, and there are often straightforward ways to resolve them. Get practical advice on clearing title issues quickly and efficiently.</p> <p>Jerel J. Hill, Attorney at Law - Kingwood, TX Richard Melamed, Richard Melamed, PLLC - Houston, TX</p>

1:50 pm 0.50 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 pm	Break
2:30 pm 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 pm	Adjourn