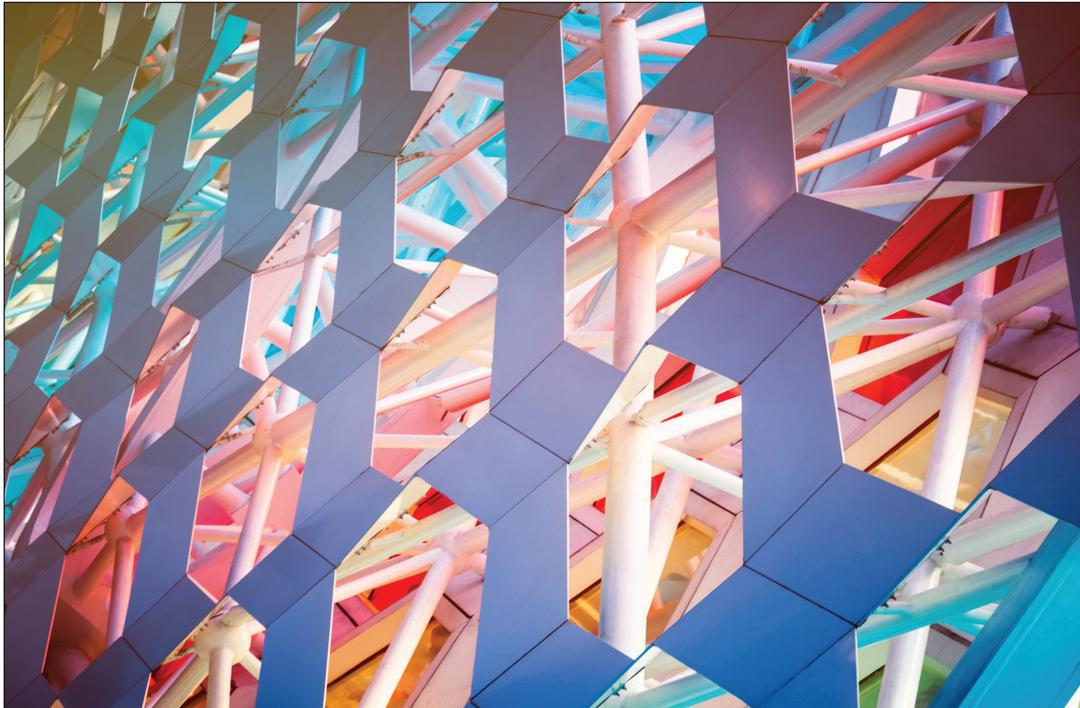


57TH ANNUAL WILLIAM W. GIBSON, JR.
**MORTGAGE LENDING AND
SERVICING INSTITUTE**



October 11–12, 2023
AT&T Conference Center ■ Austin, Texas

 **Live Webcast October 11–12**

Earn up to 11.00 Hours of MCLE Credit Including 2.00 Hours of Ethics Credit
MCLE Credit Approved in TX, CA, OK, and PA (Hours Vary By Jurisdiction)

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Professional Accreditation Approved for TX Accounting CPE, and TX Real Estate Commission (TREC)

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Times listed are in Central Time

WEDNESDAY MORNING, OCT. 11, 2023

Presiding Officer:

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

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. Welcoming Remarks

8:40 a.m. .75 hr

Case Law Update - Part I

Discuss recent and significant Texas cases for the last year, with particular attention paid 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

9:25 a.m. .50 hr

Hot Topics in Mortgage Lending and Servicing

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

Robert F. DuBois III, DuBois, Bryant & Campbell, L.L.P. / Adjunct Professor Texas Law, Austin, TX
Jill G. Murphy, Ruffner Schoenbaum Murphy, PLLC / Adjunct Professor Texas Law, Austin, TX

9:55 a.m. .50 hr

Contesting Property Tax Appraisals

The Property Tax Protest and Appeal process can be confusing. With fifteen-minutes as the average length for an Appraisal Review Board hearing, review strategies for what to do and not do before your values are set in the Summer, and tax statements arrive in the Fall.

J. Stephen Brusniak, Brusniak Turner Fine LLP, Dallas, TX

10:25 a.m. 15-Minute Break

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.00 hours, of which 2.00 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 (#169).

10:40 a.m. .75 hr

Legislative Update

Legislative Update 2023: No Pandemic. No Freeze. Still crazy.

John H. "Jack" Miller III, Jack Miller Law, PLLC, Houston, TX

11:25 a.m. 1.00 hr ethics

ChatGPT Ethics

Topic description generated by ChatGPT: Using ChatGPT for legal purposes promises efficient information processing, yet raises ethical concerns including client confidentiality and the risk of providing inaccurate advice. It is paramount that attorneys ensure adequate supervision, maintain professional discretion, and stay vigilant about the tool's limitations to uphold their ethical obligations.

Henson Adams, Haynes Boone, LLP, San Antonio, TX
Adam Sencenbaugh, Haynes Boone, LLP, Austin, TX

12:25 p.m. Pick Up Lunch

Included in registration.

WEDNESDAY AFTERNOON

Presiding Officer:

Dawn M. Lewallen, First American Title Insurance Company, Houston, TX

LUNCHEON PRESENTATION

12:45 p.m. .75 hr

Follow the Money - How to Avoid Mortgage Fraud

The real estate and mortgage industry has seen an increase in fraud in the wake of the Pandemic. Learn to spot the red flags for avoiding mortgage fraud by getting to know your customers and going beyond the paperwork.

Walt M. Junker, United States' Attorney's Office, Dallas, TX

1:30 p.m. 15-Minute Break

1:45 p.m. .50 hr

Escrow Agreements

A review of the various uses, types of Escrow Agreements, Escrow Agent options, regulatory and drafting concerns and forms availability.

John P. Bruce, Heritage Title Company of Austin, Inc., Austin, TX

2:15 p.m. .50 hr

Give a Little, Get a Little

A push and pull open discussion of the interactions of lender counsel with the borrower, guarantor and equity counsels.

Niles W. Holmes, Niles Holmes, P.C., Dallas, TX
Kent Newsome, Greenberg Traurig, LLP, Houston, TX

2:45 p.m. .50 hr

Failing Lenders and FDIC Receiverships

What kinds of bad things happen to a good landlord or tenant when the other party's lender fails and the failed lender stops funding the tenant's TI allowance, the tenant's security deposit is uninsured; the issuer of the letter of credit is in receivership; the SNDA is unenforceable; or the lease is ejected by the FDIC as receiver; and other such not so good, very bad things happen.

Thomas M. Whelan, McGuire, Craddock & Strother, P.C., Dallas, TX

3:15 p.m. 10-Minute Break

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CONCURRENT SESSIONS

SPECIAL NOTICE

The live webcast includes the Advanced Commercial Lending track but not the Residential Lending track. Materials for both tracks are available in the course materials. Approximately 4-6 weeks after the conference, the Advanced Commercial Lending video and Residential Lending audio will both be available in "Your Briefcase."

ADVANCED COMMERCIAL LENDING

Presiding Officer:

Amanda R. Grainger, Winstead PC,
Dallas, TX

3:25 p.m. .75 hr

CFIUS and Foreign Ownership

CFIUS national security review of foreign investment in the U.S. now includes jurisdiction over certain real estate acquisitions. Learn about CFIUS jurisdiction, how to assess risk, and how it could impact your next transaction.

Russell Menyhart, Taft Stettinius & Hollister LLP,
Indianapolis, IN

4:10 p.m. .50 hr

The Tide Goes Out for an EPA Regulation

The latest on the "Waters of the US" controversy and what it means for real estate development and finance.

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

4:40 p.m. .50 hr

Regulatory Issues Impacting Real Estate Lending

A former regulator provides her top 10 list of current regulatory issues attorneys representing banks and lenders should know.

Caroline C. Jones, Special Counsel - Polunsky Beitel
Green LLP, Austin, TX

5:10 p.m. Adjourn

RESIDENTIAL TRACK

Presiding Officer:

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

3:25 p.m. .75 hr

CFPB Enforcement Actions

Focus on Fair Lending and Hot Button Issues Under RESPA, LO Compensation, UDAAP, and Continued Expansion of Turf.

Troy Garris, Garris Horn LLP, Dallas, TX

4:10 p.m. .50 hr

Title Insurance Strategies for Distressed Property and Bankruptcy

The chance for distressed properties and businesses selling property out of bankruptcy can arise with ever-changing market conditions and increased inflation rates. These types of properties can affect title insurance strategies recommended for the next course of action. Gain insight on how title insurance can help in distressed sales and reduce deal risk.

Dawn M. Lewallen, First American Title Insurance
Company, Houston, TX

4:40 p.m. .50 hr

Current Litigation Trends for In-House Bank Counsel

The failures of SVB et al., increasing interest rates, and enhanced regulatory scrutiny has put banks into the spotlight, again. Discuss headaches on the horizon for in-house bank counsel.

Jared Slade, Alston & Bird LLP, Dallas, TX

5:10 p.m. Adjourn

THURSDAY MORNING, OCT. 12, 2023

Presiding Officer:

Amanda R. Grainger, Winstead PC,
Dallas, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .75 hr

Case Law Update - Part II

Discuss recent and significant Texas cases for the last year, with particular attention paid 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

9:15 a.m. .75 hr

Dealing with Loans in the Context of Divorces, Death, and other Family Disruptions

Who gets the house is typically a big issue in divorce. There is often a lot of emotion tied to the house, especially if there are kids involved, and generally, one person wants to sell it more than the other. Realtors often have to deal with one uncooperative spouse when a sale is involved, and lenders often have to consider whether the one who wants to keep it can qualify on their own for a refi, home equity loan, or HELOC to buy out the other. Learn more about refinance concurrent to the divorce process, how to deal with a lender following a death, and when to advise a client to ask about assumptions, forbearance, and other mortgage-related scenarios.

Brooke Benson, MiMutual Mortgage, San Antonio, TX
Daryl Gail Weinman, Weinman & Associates,
Austin, TX

10:00 a.m. .50 hr

Foreclosures and Deeds in Lieu

A step-by-step review of the non-judicial foreclosure process and an overview of alternatives to foreclosure, including deeds in lieu. The presentation includes a step-by-step review of the basics plus practice tips and key forms.

Brian Thompson Morris, Winstead PC, Dallas, TX

10:30 a.m. 15-Minute Break

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Call 512.475.6700 to register.

10:45 a.m.

.50 hr

Loan Workouts and Modifications – Renew, Pretend, Extend

Explore the challenges of commercial real estate lending and servicing in the current environment of high interest rates, tight credit and lower property values driven, in part, by the post-COVID “work-from-home” phenomenon that has impacted office occupancy and demand, as well as demand for other property types that are dependent on office workers such as CBD hotels and retail. The presentation includes, specifically, a discussion of how CMBS special servicers are addressing maturing balloon loans that cannot be refinanced.

Jenna Unell, Greystone, Irving, TX

11:15 a.m.

.50 hr

What is Bankruptcy in Real Estate? Basic Bankruptcy as it Relates to Real Estate

A discussion about issues in real estate bankruptcies, including issues for real estate lenders and developers, including single asset real estate designation, the automatic stay, financing in bankruptcy, sales free and clear of liens, and plan confirmation.

Trip Nix, Holland & Knight LLP, Austin, TX
Eric J. Taube, Holland & Knight LLP, Austin, TX

11:45 a.m.

1.00 hr ethics

Navigating the Ethical Minefield for Mortgage Lending Lawyers

Mortgage lending lawyers face numerous ethical challenges in their practice, including conflicts of interest, issuing opinion letters and responding to requests for proposal. Examine those issues and cover ways to avoid ethical violations.

Robert L. Tobey, Johnston Tobey Baruch, P.C., Dallas, TX

12:45 p.m.

Adjourn

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School of Law
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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 at least 10 days prior to the conference.

REGISTRATION BENEFITS

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

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ML23

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Assistant's Email (optional) _____

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

EVENT REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

- Live, In-Person Event Registration \$645 | \$745 after September 27
 Live Webcast Registration \$645 | \$745 after September 27

Please select Thursday afternoon concurrent session

- Advanced Commercial Lending
 Residential (NOTE: This track will not be a part of the live webcast, but its audio will be added to the eConference, included with conference registration.)

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Thursday, October 12, 2023

Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$81.19 (\$75*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

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TOTAL EVENT REGISTRATION \$ _____

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- Individual eConference \$745

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$297.69 (\$275*)
 Printed Post-Course Binder \$351.81 (\$325*)

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METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
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October 11–12, 2023

CONFERENCE LOCATION**AT&T Conference Center**The University of Texas at Austin
1900 University Avenue
Austin, TX 78705
877.744.8822 (reservations)**Special Room Rate: \$199**good through September 10, 2023
reference "Mortgage Lending 2023"
(subject to availability)**Parking:**Please visit www.utcle.org/conferences/ML23
for daily and overnight rates**KEY DATES****September 27, 2023***Last day for early registration rates***October 6, 2023***Last day for full refund cancellation***October 9, 2023***Last day for partial refund cancellation*
\$50 processing fee applied**October 11, 2023 8:40 a.m., CT***Institute begins***October 12, 2023***Last day to order a printed and shipped course binder
with in-person or webcast conference registration.***REASONS TO ATTEND**UT Law's **57th Annual 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:

- Updates from the legislature and the courts, along with focused sessions on *Advanced Commercial Lending and Residential Lending*.
- The United States' Attorney's Office provides insight on how to spot the red flags for avoiding mortgage fraud.
- Insight into hot topics like contesting property tax appraisals, FDIC receiverships, bankruptcy, and loan workouts and modifications.
- Hear updates from the 88th Legislative Session and how they will impact the mortgage industry.
- A review of the various uses, types of escrow agreements, escrow agent options, regulatory and drafting concerns and form availability.