

# Real Estate and Land Use Spring Forum 2017

Cosponsored by the Real Estate and Land Use Section

Register now at [osbar.inreachce.com](http://osbar.inreachce.com) (search for RE17)



This year's spring forum explores a variety of timely issues for real estate and land use practitioners. With more than 40 percent of Oregonians renting their homes, hear the landlord and tenant perspectives about the rental housing crisis of large rent increases and low vacancy rates. Learn the differences about lots, parcels, and legal lots and the importance of whether the property was legally created. Receive an update on prescriptive easements over existing road ways and the Oregon Supreme Court's decision in *Wels v. Hippe*. Explore the history and development of Oregon's inclusionary zoning program and how the City of Portland program is working. Discover the latest development in special flood hazard areas, and examine the tensions between private interest and public policy to enforce private agreements restricting development that encourages infill. The ethics session will cover what you might not know about attorney-client privilege, work product doctrine, and joint defense doctrine in Oregon.

**Register by 4/24/17 and save \$20**

**Real Estate and Land Use Section members  
save \$20 off registration rates.**

**Friday, April 28, 2017**

8:55 a.m. – 4:45 p.m.

**Oregon State Bar Center**

16037 SW Upper Boones Ferry Rd, Tigard

CLE credits: 5.75 General and .5 Ethics

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## LIVE EVENT



### Early registration discount

*Register by 4/24/17 and save \$20*

- \$125 ONLD member
- \$180 Real Estate and Land Use Section member
- \$200 OSB member
- \$210 Non-OSB member
- \$15 Box lunch
- \$15 Print course materials  
*(Electronic materials are included with your registration.)*

## LIVE WEBCAST



- \$200 Webcast registration  
*(Includes online access to recorded seminar for 60 days after the live event.)*

## ON DEMAND



This seminar will be available on-demand approximately two weeks after the date of the live program. Please visit [osbar.inreachce.com/](http://osbar.inreachce.com/) and search for RE17. On-demand access is available for 60 days after the date of purchase.

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff – please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the live seminar.



### Questions or need help with registration?

Call the OSB CLE Service Center:  
**(503) 431-6413 or (800) 452-8260, ext. 413**

**8:00 Registration**

**8:55 Welcome**

**9:00 The Rental Housing Crisis: State and Local Governments' Response**

- Tenant protections for large rent increases and low inventory
- Rent control, stabilization, and limits on no-cause termination notices
- The General Landlord/Tenant Coalition and landlord and tenant advocates

**Andrew Hahs**, *Bittner & Hahs PC, Lake Oswego*

**John Van LANDINGHAM, IV**, *Lane County Legal Aid & Advocacy Center, Eugene*

**10:00 Is it a Lot, Parcel, or Legal Lot, and Why Do We Care?**

- Terminology
- Legal statutes and case law
- Legal transfers by deed and property line adjustments
- Title insurance coverage issues for illegally created lots

**Chas "Cleve" Abbe**, *Lawyers Title of Oregon LLC, Portland*

**Anne Davies**, *Lane Council of Governments, Eugene*

**Margot Seitz**, *Farleigh Wada Witt, Portland*

**10:45 Break**

**11:00 Prescriptive Easements over Existing Roadways: Life before and after *Wels v. Hippe***

- Resolving access disputes

**Clayton Patrick**, *Attorney at Law, Clatskanie*

**11:45 Lunch** (*Brown bags are welcome at the OSB Center or you may order a box lunch when registering.*)

**12:45 Inclusionary Zoning**

- History and development of the Oregon program
- The City of Portland program

**Mary Kyle McCurdy**, *1000 Friends of Oregon, Portland*

**Christen White**, *Radler White Parks & Alexander LLP, Portland*

**1:45 What You May Not Know About Attorney-Client Privilege, Work Product Doctrine and Joint Defense Doctrine in Oregon**

- Does sharing work product with a third party waive the protection from discovery?
- How do the RPCs protecting client confidences overlap with various privileges?
- Does the signed joint defense agreement portend a future conflict of interest?

**Daniel Keppler**, *Garvey Schubert Barer, Portland*

**2:45 Break**

**3:00 Special Flood Hazard Areas Development: The How's and Why's of Changing Standards**

- Endangered Species Act (ESA) and National Flood Insurance Program (NFIP) litigation history and consultation outcome
- Reasonable and Prudent Alternative (RPA) implementation goals and timelines

**Eric Murray**, *NOAA Fisheries West Coast, Portland*

**Bonnie Shorin**, *Program Analyst, NOAA, Lacey, WA*

**Scott Van Hoff**, *Sr. Floodplain Management Specialist, FEMA, Bothell, WA*

**4:00 Private Land Use Regulation through CC&Rs: The Tension between Private Interest and Public Policy**

- Enforceability of private agreements to restrict development
- Tension with public policy that encourages infill

**Alan Rappleyea**, *Washington County Counsel, Hillsboro*

**Paul Trincherro**, *Garvey Schubert Barer, Portland*

**4:45 Adjourn**

## Planning Committee

**Corinne Celko**, *Emerge Law Group, Portland*  
**Anne Davies**, *Lane Council of Governments, Eugene*  
**Lauren King**, *Portland Office of City Attorney, Portland*  
**Marisol McAllister**, *Farleigh Wada Witt, Portland*  
**Paul Trincherro**, *Garvey Schubert Barer, Portland*

## Products

DVDs and audio CDs will be available approximately two weeks after the live program. Please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413, to place your order.

RE17.KCDE  
Audio CDs with electronic materials ..... \$200  
RE17.KDVE  
DVDs with electronic materials ..... \$235

## General Information

**Cancellations:** Cancellation requests must be received at least 72 hours prior to the date of the seminar to qualify for a refund. Refunds are subject to a \$25 cancellation fee. To cancel, please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413.

**Tuition Assistance:** Email a request stating your financial situation to [cle@osbar.org](mailto:cle@osbar.org) or call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413, no later than one week before the seminar.

**Dietary Restrictions or Accessibility Accommodations:** Please call (503) 431-6352 or (800) 452-8260, ext. 352, at least 72 hours before the date of the seminar.



## Upcoming Seminars

### April 5

Lunch and Learn Series: The Nuts and Bolts of Business Valuation (BV117)

### April 7-8

30th Annual Northwest Bankruptcy Institute (NWB17)

### April 12

Lunch and Learn Series: Top Litigation Issues in Business Valuation (BV217)

### April 21

Courthouse Facility Dogs: Assisting in the Investigation and Prosecution of Crimes (CDG17)

### April 26

Lunch and Learn Series: Business Valuation Buy-Sell Agreement (BV317)

### May 10

Lunch and Learn Series: Quantifying Economic Damages (DAM117)

### May 17

Lunch and Learn Series: Economic Damages and Risk Assessment (DAM217)

### May 19

37th Annual Northwest Securities Institute (NWSI17)

### May 24

Lunch and Learn Series:  
Calculating Economic Damages (DAM317)

### May 31

Lunch and Learn Series: Economic Damages in Employment Cases (DAM417)

### June 1-2

17th Annual Oregon Tax Institute

### June 9

Advanced Estate Planning

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