

# Real Estate and Land Use Spring Forum 2016

*Cosponsored by the Real Estate and Land Use Section*

Register now at [osbar.inreachce.com](http://osbar.inreachce.com) (search for RE16)



**Friday, April 29, 2016**

8:45 a.m. - 4:15 p.m.

**Oregon State Bar Center**

16037 SW Upper Boones Ferry Rd, Tigard

CLE credits: 6.5 general

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Take a look at a wide variety of current real estate and land use issues that can impact your clients. Learn about insurance coverage and claims relating to real estate, such as environmental claims. An overview of subsurface property rights and transactions relating to severed mineral rights and mining claims will be presented. Spot current HOA and condominium law trends, including rental restrictions for short-term rentals and Airbnb. Gain negotiation tips for retail leases from both the landlord and tenant perspectives. Effective land use appeals will be discussed, as well as how marijuana is affecting Oregon's land use planning. Examine the "Inclusionary Zoning" debate and tools aimed at affordable housing policy; and learn how the Fair Housing Act and the Americans with Disabilities Act can apply in transactional residential real estate - when is a dog not a pet?

**Register by 4/25/16 and save \$20**

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

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.

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## LIVE EVENT



**Early registration discount**

*Register by 4/25/16 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.)*

- 8:00 Registration**
- 8:45 Insurance Coverage and Claims Related to Real Estate**
- Environmental claims
  - Recent case developments
- Christopher Rycewicz, Miller Nash Graham & Dunn LLP, Portland**
- 9:30 Severed Mineral Rights and Mining Claims: An Overview of Subsurface Property Rights and Transactions**
- Creation and maintenance
  - Sale and lease issues
- Eric Martin, Stoel Rives LLP, Portland**
- 10:15 Break**
- 10:30 HOA/Condominium Law Issues and Trends**
- Role of the association's governing documents
  - CC&R amendments vs. board-adopted rules and regulations
  - Lien and collections: special rights for associations
  - Current trends in rental restrictions: short-term rentals and Airbnb
- Kathleen Profitt, Profitt Law PC, Clackamas**
- 11:15 Negotiating Retail Leases from the Landlord and Tenant Perspective**
- Premises/retail center
  - Rent commencement
  - Repairs and maintenance
  - Assignments and subleases
  - Defaults and remedies
- Randal Johnson, InSite Law LLC, Portland**  
**Bradley Miller, Brix Law LLP, Portland**
- 12:00 Lunch**  
*Brown bags are welcome at the OSB Center or you may purchase a box lunch when registering.*
- 1:00 Effective Advocacy of Land Use Appeals: Perspectives from Both Sides of the Podium**
- Tips and strategies for presenting an effective case before LUBA and the Oregon Court of Appeals
- The Honorable Timothy Sercombe, Oregon Court of Appeals, Salem**  
**Seth King, Perkins Coie LLP, Portland**
- 1:45 A New Green Revolution: Marijuana's Impacts on Oregon Land Use Planning**
- How marijuana is being integrated as a farm crop into Oregon's land use system
  - The complexities surrounding marijuana legislation
  - How local jurisdictions are regulating marijuana-related uses
- State Representative Kenneth Helm**  
*Attorney at Law, Beaverton*  
**Corinne Celko, Emerge Law Group, Portland**
- 2:30 Break**
- 2:45 A Debate About Planning Tools Aimed at Affordable Housing**
- Recent inclusionary zoning ruling from the California Supreme Court: *California Building Industry Association v. City of San Jose*
  - Proposed Oregon bills to overturn the ban on inclusionary zoning
  - Other tools that are available to ensure the provision of affordable housing
  - Free market affordable housing vs. government funded affordable housing
- Jennifer Bragar, Garvey Schubert Barer, Portland**  
**Jon Chandler, Oregon Home Builders Association, Salem**
- 3:30 Fair Housing Act and ADA — Issues in Transactional Residential Real Estate**
- Comparison of the applications of the FHA and ADA to residential properties
  - Due diligence issues in acquiring multifamily properties
  - Leasing and reasonable accommodation—when is a dog not a pet?
- Andrew Hahs, Bittner & Hahs PC, Lake Oswego**
- 4:15 Adjourn**

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## Planning Committee

**Thomas Bahrman**, *Bahrman Law LLC, Bend*  
**Corinne Celko**, *Emerge Law Group, Portland*  
**Lauren King**, *Portland Office of City Attorney, Portland*  
**Dustin Klinger**, *Thede Culpepper Moore Munro & Silliman LLP, Portland*  
**Alan Sorem**, *Saalfeld Griggs PC, Salem*  
**Rebecca Biermann Tom**, *Radler White Parks & Alexander LLP, Portland*

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## 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.

### RE16.KCDE

Audio CDs with electronic materials..... \$200

### RE16.KDVE

DVDs with electronic materials..... \$230

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



## Upcoming Seminars

### March 4-5, 2016

*23rd Annual Litigation Institute & Retreat (LI16)*

### April 8-9, 2016

*29th Annual Northwest Bankruptcy Institute (NWB16)*

### April 15, 2016

*Problem Employees Discipline, Documentation, and Discharge featuring Jeff Johnson*

### May 6, 2016

*Legal Ethics Best Practice*

### May 20, 2016

*Persuading the Trial Judge featuring David Markowitz*

### June 2-3, 2016

*16th Annual Oregon Tax Institute*

### June 10, 2016

*Advanced Estate Planning*

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and search by program code.



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