# Preserving & Transferring Your Client's Principal Residence

#### Advising your clients on planning and various transfer techniques

#### Why attend?

For many individual clients, the home is the single largest or most-treasured asset, both financially and emotionally. To these clients, maintaining ownership of the home and keeping it in the family are often issues of utmost importance. Clients, both young and old, often come to their lawyer with preconceived notions of what must be done to protect or transfer their home. Because clients are commonly unaware of how various laws interact, a lawyer engaging in real estate, estate planning, or elder law needs to be knowledgeable about many areas of law, including taxation, creditors' rights, the pros and cons of trusts holding real estate, MassHealth (Medicaid) planning, estate planning, mortgages, and the effect of long-term care insurance on the preservation of the home.

#### Agenda and written materials

#### **▶** Protection from Creditors

Tenancy by entirety or ownership by one spouse; Declaration of Homestead; The Bankruptcy Act and fraudulent conveyances; Partitions; Insurance

#### ▶ Taxation

Estate, gift, and income tax issues; The effect of capital gains tax changes; Intrafamily transfers; Transfers to trusts; Conservation easements

#### ▶ MassHealth (Medicaid) and Transfers of Assets

Predeath liens, postdeath creditors' claims; Life-estate, use, and occupancy agreements; Trusts

- ► Reverse Mortgages
- ▶ "Ask the Experts" Q&A Session

#### **FACULTY**

Eric R. Oalican, Esq., *Cohen & Oalican LLP, Boston,* Cochair Robert H. Ryan, Esq., *Bove & Langa, PC, Boston,* Cochair Kelly A. Aylward, Esq., *Bove & Langa, PC, Boston* Tracy A. Craig, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Worcester* Robert A. Gorfinkle, Esq., *Law Offices of Robert A Gorfinkle, Braintree* Stephen R. Pepe, Esq., *MetLife Home Loans, Milford*  WEBCAST—Live or later! 8:30 a.m. – 12:30 p.m., Wednesday, July 22, 2009 Program No. 2090520WBC Register at www.mcle.org

#### **BOSTON**

8:30 a.m. – 12:30 p.m., Wednesday, July 22, 2009 MCLE Conference Center, 10 Winter Place, via Winter Street Program No. 2090520P01

#### BURLINGTON

8:30 a.m. – 12:30 p.m., Wednesday, July 29, 2009 Hyatt Summerfield Suites, 2 Van De Graaff Drive Program No. 2090520P02



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