

OTHER OPPORTUNITIES

- **Fundamentals of Employment Law**
Tallahassee, FL – November 2, 2010
Pensacola, FL – January 25, 2011
- **Landlord-Tenant Law**
Tampa, FL – January 11, 2011
Tallahassee, FL – February 15, 2011
- **Beyond the Basics in Employment Law**
Fort Lauderdale, FL – January 12, 2011
Orlando, FL – January 19, 2011
Tampa, FL – January 25, 2011

Check our website or call us for more info!

REFERENCE MATERIALS

Seminar Manual

The faculty has prepared a substantial reference work to accompany its presentation. This manual will serve as a valuable tool for future reference. You will receive the manual upon checking in at the seminar site. Its price is included in the registration fee.

Audio Recording

This seminar will be recorded, so if you cannot attend, or if you want to apply for home study credit (where available), you can order the audio recording and/or a reference manual from this program. Please use the registration form to order.

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LANDLORD-TENANT LAW UPDATE:

Lease Provisions and Issues: Plan Ahead to Avoid Problems; Landlord and Tenant Obligations; The Eviction and Judicial Process; Landlord-Tenant Mediation/Dispute Resolution; Green Building and Green Leases; When Tenant or Landlord Files Bankruptcy; and Ethical Consideration in Landlord-Tenant Law

PRESENTERS: Michael J. Posner with Ward, Damon, Posner, Pheterson & Bleau, PL; Robert H. Smith and Anthony C. Alfonso with Holland & Knight LLP; Anthony J. Horky with Mombach, Boyle & Hardin, P.A.; Jeremy E. Slusher with Broad and Cassel; Barbara G. Lanshe with Lanshe & Casas, P.A.; and Richard A. Jarolem with Casey Ciklin Lubitz Martens & O'Connell
Seminar #10FL07168 Audio & Manual Set \$155 Audio only \$95 Manual only \$75

RESIDENTIAL EVICTIONS:

DISTRESSED HOMES, FORECLOSURES & VENDOR/PURCHASER ISSUES:

Distressed Home Conveyances & Pre-Foreclosure; Vendor/Purchaser Real Estate Issues in Landlord-Tenant Context; Post Foreclosure Eviction and Issues; Unlawful Detainer and Defenses and Jurisdictional Issues; "Green Issues;" and Ethical Considerations in Landlord-Tenant Law

PRESENTERS: Michael J. Posner with Ward, Damon & Posner, P.A.; Anthony J. Horky with Mombach, Boyle & Hardin, P.A.; Steven E. Wallace with Ruden McClosky; and Oscar A. Sanchez with Akerman Senterfitt
Seminar #9FL11358 Manual only \$75

COMMERCIAL LEASES: HOW TO DO THEM RIGHT!:

Rent and Other Essential Issues; Operational Issues; Construction; Landlord Remedies; When the Landlord and Tenant Files Bankruptcy; and Ethical Considerations in Lease Drafting

PRESENTERS: Patrick G. "Rick" Emmanuel, Jr., Charles P. Hoskin, and Sally B. Fox with Emmanuel, Sheppard & Condon; Michael Rayboun with Keefe, Anchors, Gordon & Moyle, P.A.; and Charles S. Liberis with Liberis & Associates, P.A.

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Landlord-Tenant Law Beyond the Basics

Gainesville – January 11, 2011

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Landlord-Tenant Law Beyond the Basics



Gainesville, FL
January 11, 2011

Presented by:

John F. Maroney

- Fowler White Boggs P.A.

N. Mark New II

- McGlinchey Stafford PLLC

R. Carter Burgess

- McGlinchey Stafford PLLC

Robert E. Riva, Jr.

- Holland & Knight LLP

Sidney F. Ansbacher

- GrayRobinson, P.A.

Nicolle M. Shalley

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(See complete biographies inside)



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MEET THE FACULTY

JOHN F. MARONEY, with Fowler White Boggs P.A. in Jacksonville, practices in the areas of commercial litigation and in all types of business litigation, including disputes involving real property, lending institutions, insurers, general contractors, subcontractors, and other corporate and individual business clients; and bankruptcy and creditors' rights. He is a frequent presenter at professional education programs on construction liens and other areas of his practice. Mr. Maroney is a member of the Jacksonville and the American Bar Associations and The Florida Bar. He is admitted to practice in Florida and the U.S. District Court, Middle District of Florida. Mr. Maroney earned his B.S. and his B.A., *cum laude*, at Drake University and his J.D., with honors, at the University of Connecticut, where he was managing editor of the *Connecticut Insurance Law Journal*.

ROBERT E. RIVA, JR., LEED® AP, a member of the Real Estate, Public Companies and Securities and Sustainable Development practice groups in the Jacksonville office of Holland & Knight, practices in the areas of real estate financing, development, leasing and acquisition. Mr. Riva has experience in corporate governance matters, including representing lenders in loans guaranteed by the Export-Import Bank of the United States. He is a U.S. Green Building Council, LEED Accredited Professional (LEED® AP). Mr. Riva is the first attorney in Jacksonville to become a LEED® AP and to be listed on the Green Building Certification Institute's LEED® AP Directory under the "Legal" area of practice. He is a member of The Florida Bar, the Jacksonville Bar Association, the Florida Coastal School of Law Alumni Association, the Urban Land Institute-Jacksonville Chapter, and the U.S. Green Building Council, North Florida Chapter. Mr. Riva earned his B.A. at Penn State University and his J.D. at Florida Coastal School of Law where he was editor-in-chief of the *Florida Coastal Law Review*.

R. CARTER BURGESS, with McGlinchey Stafford PLLC in Jacksonville, practices in the areas of bankruptcy litigation, creditors' rights, contested foreclosure, and commercial litigation. He is a member of the Florida Bar, the Jacksonville Bar, the Jacksonville Beaches Bar, and The Florida Bar's Young Lawyers Division. Mr. Burgess earned his B.A. at James Madison University and his J.D. at the Florida Coastal School of Law where he was editor-in-chief of the *Florida Coastal Law Review*.

N. MARK NEW II, with McGlinchey Stafford PLLC in Jacksonville, practices in the areas of commercial litigation, consumer litigation, real estate litigation, creditors' rights, and bankruptcy. Mr. New is a member of The Florida Bar and the Jacksonville and the American Bar Associations. He is admitted to practice in Florida, the U.S. District Court, Middle, Northern, and Southern Districts of Florida, and U.S. Court of Appeals, Eleventh Circuit. Mr. New earned his B.S. at the University of Florida and his J.D., with honors, at the University of Florida Levin College of Law, Order of the Barristers.

NICOLLE M. SHALLEY is a Senior Assistant City Attorney for the City of Gainesville and serves as the attorney for the Gainesville Community Redevelopment Agency. Ms. Shalley has been with the city since 2006, handling transactional matters primarily in the areas of land use and zoning, real property, redevelopment, housing, public works, finance, public procurement and ethics for public officials. Prior to joining the City, Ms. Shalley was in private practice in the Sarasota-Bradenton area with the firms of Ferguson, Skipper, Shaw, Keyser, Baron and Tirabassi, P.A. and Porges, Hamlin, Knowles & Prouty, P.A., and she was an Assistant County Attorney for DeSoto County. Ms. Shalley received her B.S. in Public Relations from the University of Florida and her J.D., *magna cum laude*, from Florida State College of Law.

SIDNEY F. ANSBACHER, a shareholder in GrayRobinson, P.A. in Jacksonville, practices principally in administrative land use and environmental law. He helped write the environmental lending policy manuals for multiple statewide banks. Mr. Ansbacher practiced in the Division of State Lands for the Florida Department of Natural Resources, working on such purchases as Guana River, Kingsley Plantation, Ft. Clinch, the Truman Little White House in Key West, and the Big Bend. He acted as general counsel to the Florida School for the Deaf and the Blind from 2005-2008. Mr. Ansbacher is listed as a Florida Super Lawyer® and recognized by *Jacksonville Magazine* as one of the "250 Best Lawyers of 2010" in Jacksonville in Energy Law and ADM Law. He is a member of the Jacksonville Bar (Environmental & Land Use Law Section (ELULS)), The Florida Bar (ELULS and managing editor of the *Environmental and Land Use Law Treatise*), and the American Bar Association. He has been listed in *Best Lawyers® in America* in Administrative Law and Energy Law 2009-2011 and twice as a Florida Legal Elite™ by *Florida Trend* magazine. Mr. Ansbacher earned his B.A. at the University of Florida, his J.D. at Hamline University, and his LL.M. in agricultural law at the University of Arkansas.

LANDLORD-TENANT LAW: BEYOND THE BASICS

DATE: Tuesday, January 11, 2011

REGISTRATION: 8:00 a.m.

PRESENTATIONS: 8:30 a.m. - 4:30 p.m.

LUNCH: (on your own) 12:00 - 1:00 p.m.

LOCATION:

Paramount Plaza Hotel & Suites

2900 SW 13th Street

Gainesville, FL 32608

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Please note: If you do not attend and do not cancel as described above you are not entitled to a refund.

Landlord-Tenant Law: Beyond the Basics

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Gainesville - January 11, 2011

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WHO SHOULD ATTEND

- Property Managers
- Developers
- Building Owners
- Leasing Agents
- Landlords & Tenants
- Other Real Estate Professionals
- Attorneys:
 - Landlord-Tenant
 - Real Estate
 - Evictions
 - General Practice
 - Litigation

SEMINAR AGENDA

- I. **Leases: An Ounce of Prevention**
 - A. Landlord-tenant law legislative update
 - B. Fair Housing Act and low income housing programs
 - C. Essential pro-active and remedial lease provisions
 - D. Screening and qualifying prospective tenants: legally
 - E. Security deposits and personal guarantees: getting, keeping, refunding
 - F. Late fees: how much is too much?
 - G. Special circumstances: public and subsidized housing, mobile homes: statutory protections and differences in notices and timelines
- II. **Problem Tenants**
 - A. Tenant rights and landlord responsibilities
 - B. Risk management and matters of health and safety
 - C. Nuisances
 - D. Property damage
 - E. Holdover tenants
 - F. Illegal immigrants and illegal aliens
- III. **Landlord Rights and Options When the Deal Goes Bad**
 - A. Straightforward lease violations
 - B. Collecting overdue rent
 - C. Ground rent tenants, if applicable
 - D. Tenant abandonment of the leasehold premises
 - E. Unclaimed tenant property
 - F. Landlord's right to inspect premises
 - G. Forcible entry
 - H. Evictions and getting rid of problem tenants
 - I. Landlord lockouts and illegal evictions
 - J. Enforcing awards and judgments
 - K. Fair credit reporting
 - L. Protecting Tenants at Foreclosure Act
- IV. **Landlord Permitting in Gainesville**
- V. **Tenant or Landlord Bankruptcy and Collections**
 - A. Landlord or tenant files bankruptcy
 - B. Review of the assumption rejection procedure and the automatic stay
 - C. Limitations on the rights of commercial tenants-landlords in Chapter 11
 - D. Limitation of the automatic stay for residential tenants in bankruptcy cases
 - E. Changes affecting leases and real estate
 - F. Tactics under the amended bankruptcy code
 - G. Collections, judgments, and discernment
- VI. **Green Building and Green Leases**
 - A. Overview of green building rating systems, e.g. LEED®
 - B. Green lease legislation affecting landlords and tenants: risks and rewards, considerations, incentives, operating costs, tenant improvements, operations, and maintenance
- VII. **Ethical Considerations in Landlord-Tenant Law**
 - A. Negotiating with a pro se tenant at court
 - B. Conflicts of interest, un-represented, dual representation, competency
 - C. Ethical situations
 - D. Fee arrangements, getting paid

Sterling Education Services may alter the agenda due to circumstances beyond our control.