

10th Annual

Fundamentals of Landlord-Tenant Law

San Antonio, TX - September 17, 2014

Early Registration

SAVE \$30

if paid by August 6th

Continuing Education Credit:

- TX CLE 6.75 including 1.0 ethics
 - TX Real Estate
 - BOMI 7.0
 - NASBA CPE 8.0
- See inside for details.

PRESENTED BY:

J. Bradley Jones, *Pulman, Cappuccio, Pullen, Benson & Jones, LLP*

Leigh Leshin Levy, *Pulman, Cappuccio, Pullen, Benson & Jones, LLP*

Stephen A. Mitchell, *Stephen A. Mitchell, Attorney at Law*

Grant M. Gaines, *Patel | Gaines*

Michael F. Baird, *Law Offices of Morton W. Baird II*

Jack W. Hawthorne III, *Thornton, Biechlin, Segrato, Reynolds & Guerra, L.C.*

(See complete biographies inside)

SES

Sterling means value!

www.sterlingeducation.com

Scan for
exclusive
savings!



www.sterlingeducation.com



Sterling means value!

SES

if paid by August 6th

SAVE \$30

Early Registration

Sterling Education Services
P.O. Box 3127
Eau Claire, WI 54702

NONPROFIT ORG.
U.S. POSTAGE
PAID
Sterling Education
Services, Inc.

San Antonio, TX - September 17, 2014

Fundamentals of Landlord-Tenant Law

10th Annual

Fundamentals of Landlord-Tenant Law

AGENDA

- I. Landlord-Tenant Case Law & Legislative Updates
- II. Screening Prospective Tenants Effectively and Legally
 - A. Rental application
 1. Information about the unit
 2. Personal information about renter(s)
 3. Employment history and other sources of income; credit information
 4. Other information
 - B. Verify applicant's identity
 - C. Written screening criteria and how to apply it consistently
 - D. Avoid discrimination
 1. Restoration agreements
 2. Federal Fair Housing Act
 3. Specific state legislation
 4. Practical applications
 5. Disability and "reasonable accommodations"
 - E. Obtaining comprehensive background information and reasonable costs
 - F. How to legally deny tenancy and how to inform
- III. Plan Your Lease Ahead to Avoid Problems Later
 - A. Rental agreement
 1. Property leased
 2. Parties to the lease
 3. Monthly rent and late fees
 4. Rental terms
 5. Utility charges
 6. Security deposit(s)
 7. Conditions affecting habitability and code violations
 8. Timelines and promises to repair, clean, or improve property
 9. Rules for subleasing/assignment
 10. Covenant of quiet use and enjoyment
 11. Other provisions to consider adding and frequently contested issues
 - B. Prohibited rental agreement provisions
 - C. Some non-standard lease provisions
 - D. Tenant "Check-In/Check-Out" form for pre- and post-occupancy inspections
 - E. Options to renew, extend, expand, or terminate
 - F. Pet agreements
 - G. Other issues
- IV. Landlord and Tenant Obligations
 - A. Landlord
 1. Duty to deliver possession, to repair, to provide "quiet enjoyment"
 2. Security deposits: collecting, retaining, and returning legally
 3. Fair credit reporting
 4. Protecting Tenants at Foreclosure Act: obligations and responsibilities
 5. Unclaimed or abandoned property
 - B. Tenant
 1. Duty to occupy and pay rent, living conditions
 2. Holdover tenants and abandonment
 3. Other obligations
- V. The Eviction and Judicial Process
 - A. Causes for eviction (non-payment, nuisance, miscellaneous)
 - B. Terminating the tenancy
 1. Demands, notices, lockouts
 2. Forcible Entry and Detainer Action
 3. Other problems in ending the relationship
 4. Local "tenants' rights" ordinances
 - C. Landlord and tenant actions: how the litigation proceeds
 - D. Mediation, if applicable
 - E. Fair credit reporting
- VI. Collections: How to Enforce Your Judgment
 - A. Determining cost vs. recovery: Is it worth it?
 - B. Obtain necessary contact information early in rental process to facilitate easier recovery of funds
 - C. Recoverable damages, taking and docketing judgment, garnishment of property or earnings
 - D. Bankruptcy and other issues

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

DETAILS

DATE: Wednesday, September 17, 2014

REGISTRATION: 8:00 a.m.

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

LUNCH: 12:00 - 1:00 p.m.

Lunch is on your own

LOCATION:

Holiday Inn San Antonio

Downtown Market Square

318 West Cesar E Chavez Boulevard

San Antonio, TX 78204

210-225-3211

Map available online

WHO SHOULD ATTEND

- Property Managers
- Leasing Agents
- Building Owners
- Real Estate Brokers
- Developers
- Landlords/Tenants
- Other Real Estate Professionals
- Attorneys:
 - Landlord-Tenant/Evictions
 - Lease or Leasing
 - Real Estate
 - Bankruptcy/Debtor-Creditor
 - General Practice
 - Litigation

SUMMARY

With constantly fluctuating legislation and an unpredictable economy, managing rental property or counseling those who do can often seem like more risk than it's worth. Having a firm grasp on the essential legal and practical aspects of landlord-tenant law can give you the advantage, whether you are writing your first lease or managing multiple properties. Our speakers are ready to answer your questions and share practical, workable solutions to help you plan ahead and prevent problems before they start. If you are involved in any aspect of property rentals, you will benefit from this seminar. **Register today!**

Please bring your license number, ID, or other necessary information to the seminar to ensure proper reporting of continuing education credit.

CONTINUING EDUCATION CREDIT

TX CLE

This course has been **approved** by the **State Bar of Texas Committee on Minimum Continuing Legal Education** in the amount of **6.75 credit hours**, including **1.0 hour of ethics**. SES is an accredited sponsor.

TX Real Estate

This course is not pre-approved by the **Texas Real Estate Commission** for continuing education, however, **credit may be obtained by applying individually**. The TREC accepts courses that contain real estate subject matter and are approved by the Texas State Bar for CLE credits.

BOMI

This program qualifies for **7.0 hours** of **BOMI International CPD credit** for RPA, FMA, and/or SMA graduates.



Sterling Education Services is registered with the **National Association of State Boards of Accountancy (NASBA)** as a sponsor of continuing professional education on the National Registry of CPE Sponsors. **Maximum CPE Credit Hours: 8.0** (based on a 50 minute credit hour). Field of Study: **Specialized Knowledge & Applications**. Level of Knowledge: **Basic**. Delivery Method: **Group-Live**.* Prerequisite: None. Advance Preparation: None. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org. *No CPE credit will be granted for home study with the purchase of the seminar audio recording. SES is only approved for "Group/Live" programs.

Other continuing education credit may be available. Please contact Sterling to inquire.

MEET THE FACULTY

STEPHEN A. MITCHELL, Attorney at Law in Austin, concentrates his practice on transactions, disputes, and other matters involving real estate law, business law, and commercial law. Mr. Mitchell is Board Certified in Commercial Real Estate Law by the Texas Board of Legal Specialization. His clients include property owners and investors, sellers and buyers, landlords and tenants, borrowers, contractors, homebuilders, homeowners, energy service companies, service and supply companies, other small businesses, and individuals. Mr. Mitchell earned his B.A., *magna cum laude*, at the University of Houston and his J.D., with high honors, at the University of Texas School of Law, where he was elected to the Order of the Coif.

J. BRADLEY JONES, a partner of Pulman, Cappuccio, Pullen, Benson & Jones, LLP in San Antonio, has extensive experience in matters involving commercial real estate and real estate finance. He devotes much of his time to real estate sales and acquisitions, commercial real estate development, commercial lease transactions, and asset-based lending transactions. Mr. Jones represents sophisticated developers and equity investors in the acquisition, financing, development, operation, and sale of commercial properties, including retail, office, industrial, and multifamily properties. He has been recognized as one of the "Best Lawyers in San Antonio" by *Scene in S.A.* magazine from 2007 to 2014 and also as a Rising Star® by *Texas Monthly* in 2013 and 2014, and is a member of the State Bar of Texas, the San Antonio Young Lawyers Association, and the Real Estate Council of San Antonio. Mr. Jones received his B.A. from the University of Texas and his J.D. from St. Mary's University.

GRANT M. GAINES, senior litigation partner at Patel | Gaines in San Antonio, practices in the areas of commercial litigation and commercial real estate matters. Mr. Gaines is the strategic leader of the firms' litigation team and focuses on complex commercial litigation and serves as lead counsel on all trials. Mr. Gaines also has tremendous experience in the municipal and transactional side of the law in which he solved disputes, mediated and negotiated for clients with municipalities, water utilities, city councils, county commissions, zoning commissions, and planning commissions. Over the years, Mr. Gaines has earned a reputation for taking non-traditional and aggressive approaches to litigation and real estate development matters that have served his clients to save money, build strategic advantages, and limit liability. He is a member of the State Bar of Texas, the San Antonio Young Lawyers Association, the American Bar Association, the Federal Bar Association, and the Texas Trial Lawyers Association. Mr. Gaines earned his B.A. at the University of Texas at San Antonio and his J.D. at St. Mary's University School of Law.

JACK W. HAWTHORNE III, of Thornton, Biechlin, Segrato, Reynolds & Guerra, L.C. in San Antonio, focuses his practice in real estate litigation and insurance subrogation, in addition to an active mediation practice. Mr. Hawthorne has been recognized by the Texas Mediator Credentialing Association as a Credentialed Distinguished Mediator, and has mediated over 1200 cases. He is admitted to practice in Texas state courts as well as before the U.S. District Court for the Eastern District of Texas. Mr. Hawthorne received his B.A. from the University of North Texas and his J.D. from the Texas Tech University School of Law.

MICHAEL F. BAIRD, of the Law Offices of Morton W. Baird II in San Antonio, focuses his practice on real estate and probate law, including residential and commercial transactions, foreclosures, evictions, real estate purchases and sales, will preparation and estate planning, and probate and estate administration. Prior to law school, he worked as a financial analyst for a Houston mergers and acquisitions firm. Mr. Baird received his undergraduate degree from the University of Texas at Austin and his J.D. from the University of Texas School of Law.

LEIGH LESHIN LEVY, of Pulman Cappuccio, Pullen, Benson & Jones, LLP in San Antonio, practices in landlord-tenant law, bankruptcy, complex commercial litigation, collections, and property and homeowner association rights. Ms. Levy has been recognized by *Scene in S.A.* magazine as a "Legal Rising Star" for 2011 and 2012, and has been a frequent author on a wide variety of legal topics. She is a member of the State Bar of Texas, the San Antonio Bar Association, the San Antonio Young Lawyers Association, and the Community Associations Institute. Ms. Levy received her B.S. from the University of Texas at Austin and her J.D. from St. Mary's University of San Antonio.

Fundamentals of Landlord-Tenant Law San Antonio, TX - September 17, 2014

Registration Fee: (includes manual)

- \$329 per person
- \$319 per person for 2 or more
- \$299 per person **if paid by August 6th**

Reference Materials:

- Add audio to your registration for \$147*
- Manual only \$95*
- Audio only \$247*
- Audio/manual package \$337*

Payment Information:

- Check Enclosed (payable to Sterling Education Services)
- VISA } Card #: _____ - _____ - _____
- MC } Exp. Date: _____ Security Code: _____
- AMEX } Name on Card: _____
- DISC }

Seminar # 14TX09242

Call us at 715-855-0495 about discounts for groups, non-profits, new practitioners, and more!

Attendee Information:

- 1) Name: _____ Job Title/Practice Area: _____
Email: _____ †
- 2) Name: _____ Job Title/Practice Area: _____
Email: _____ †
- 3) Name: _____ Job Title/Practice Area: _____
Email: _____ †

*For internal use only:
FLTLp*

Company Information:

Company/Firm Name: _____
Type of Business: _____ Number of Employees: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: (_____) _____ Fax: (_____) _____ †

*Pricing listed includes \$6 shipping and handling. Please allow 2 to 6 weeks after program for delivery.
†By providing this information you are agreeing to be added to Sterling's in-house contact lists.

BOOKSTORE

Below is a selection of materials available from previous Sterling seminars. To order, please complete this form and mail with payment or call 715-855-0495. You can also find these and other materials online at <https://store.sterlingeducation.com/bookstore.php>.

COMMERCIAL & RESIDENTIAL LANDLORD-TENANT LAW - Seminar # 13TX09273

Commercial Lease Provisions and Issues; Residential Lease Provisions and Issues; Landlord and Tenant Obligations; The Eviction and Judicial Process; Ethical Considerations in Landlord-Tenant Law

PRESENTED BY:

Elliott S. Cappuccio with Pulman, Cappuccio, Pullen, Benson & Jones, LLP; J. Bradley Jones with Pulman, Cappuccio, Pullen, Benson & Jones, LLP; Stephen A. Mitchell, Attorney at Law; Sonya D. Reddy with Shannon, Gracey, Ratliff & Miller L.L.P.; and Grant M. Gaines with Patel Gaines, LLP

Audio & Manual Set \$155 Audio only \$95 Manual only \$75

LANDLORD-TENANT LAW - Seminar # 12TX05126

Lease Drafting, Structuring, and Negotiations; Landlord's and Tenant's Obligations; Evictions; Excuses and Traps When Things Go Bad; Landlord or Tenant Files Bankruptcy; Ethical Considerations in Landlord-Tenant Law

PRESENTED BY:

James H. Billingsley with Polsinelli Shughart; Kimberly M. J. Sims with Riney Palter PLLC; Michael H. Myers with Ganci, L.L.P.; and Karen L. Hart with Bell Nunnally & Martin LLP

Audio & Manual Set \$155 Audio only \$95 Manual only \$75

4 Easy Ways to Register:

- **Web:** www.sterlingeducation.com
Enter # in "Express Registration"
- **Mail:** Sterling Education Services
PO Box 3127
Eau Claire, WI 54702
- **Phone:** 715-855-0498
- **Fax:** 715-835-5132

WALK-INS

Walk-ins are welcome and payment is required at the door when registering. Materials will be available for walk-ins on a first-come first-served basis. **Please call ahead to confirm the schedule.**

CANCELLATIONS

Substitutions or transfers to a future Sterling seminar are welcome anytime up to the day of the seminar.

If you cancel 3 or more business days before the seminar you may:

- 1) transfer your registration to another seminar,
- 2) receive the audio and manual package, or
- 3) receive a refund minus a \$25 service charge.

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

REFERENCE MATERIALS

SEMINAR MANUAL:

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

AUDIO RECORDING:

This seminar will be recorded live and the audio recording and/or a reference manual is available for purchase separately or in conjunction with registration. Self-study credit may be available by purchasing the audio and manual package (varies by location). **Please call for details.**

UPCOMING SEMINARS

**Residential
Landlord-Tenant Law**
Harlingen, TX
July 29, 2014

Visit our website for details!