

# Message from the Section Chair



As I write this message, we have all just learned of the very sad loss of our wonderful colleague, leader and mentor, John Blyth. The

many tributes, accolades and stories which have already been circulated recognize that John was a unique lawyer, professor, scholar, chair and leader of our Section, kind mentor, gentleman and friend. John's enjoyment of the practice of real estate law, its nuances and its lore, was unequalled, and he gladly and warmly transmitted that joy and passion to everyone he met—both personally and professionally. His instinct, insight and delight in the law and his readiness at all times to share his experience and his knowledge were truly special. John was known as an ethical, careful, warm, friendly lawyer and human being, and as a model family man, devoted to his wife, his children and his many grandchildren. May our memories of John remain and endure as an inspiration to us all.

I know that you will all be glad to hear that the Section continues to serve both the New York real estate community and the larger New York community as we move from Fall to Winter.

Most importantly is the initiative taken by so many of our members in helping the entire New York community to survive and recover from Hurricane Sandy, coping with the loss of power and water, relocating and finding shelter given the extensive damage and destruction of so many homes in our area, dealing with fallen trees and blocked driveways, removing sand and debris, pumping water out of basements and street level floors, helping local businesses

survive the resulting inability to operate and the loss of business, repairing and rebuilding homes, businesses, and lives—a truly monumental undertaking in which New York real estate lawyers have provided much needed advice, assistance and support, all on a pro bono basis.

At the same time, the members of the Section have continued to advance our mission in several ways. We have extended our efforts to improve the diversity of our Section—agreeing to co-sponsor the Women in the Law program (thanks to Mindy Stern and Nancy Connery for agreeing to participate); preparing and publishing the updated edition of the Tenant's Checklist of Silent Lease Issues (thanks to Joshua Stein and Spencer Compton); focusing on Committee meetings; reducing our expenses while increasing our continuing legal education and outreach programs; taking steps to increase our upstate membership, and enable our upstate members to become more active and involved (thanks to Leon Sawyko); expanding our student intern program which now includes Brooklyn Law School, Hofstra Law School, New York Law School, St. John's Law School and Touro Law School, and by looking to add upstate participants as well (thanks to David Berkey and Stacy Wallach); by expanding our reach to younger and more diverse lawyers through our active participation in the NYSBA's Diversity Challenge II program, through initiatives with the Young Lawyers Section, and through other outreach programs consistent with the goal of increasing the diversity and inclusiveness of our membership, leadership and programs (thanks to Harry Meyer, David Berkey, Jimmy Lathrop, Mindy Stern and Marvin Bagwell); by expanding our continuing legal education offerings and programs (thanks to Larry Wolk and Joe Walsh, and to Ira Goldenberg, Peter Coffey, Karl Holtzschue, Mindy

Stern and Anne Reynolds Copps for chairing and co-chairing programs); by increasing the number of meetings held by our subcommittees (thanks to David Zinberg and Beth Holden for holding a terrific meeting of the Commercial Leasing Committee; to Ken Block and Brian Lustbader for holding meetings of the Real Estate Construction Committee; to Peter Coffey for co-chairing the program entitled, "Attorney Escrow Accounts 101—What Every Attorney Needs to Know in New York," and to Ira Goldenberg and Dennis Greenstein for arranging meetings of the Committee on Condominiums and Cooperatives); by continuing to monitor and review legislation (thanks to Karl Holtzschue and Sam Tilton); by keeping us abreast of developments in the title insurance area (thanks to Mike Berey); by overseeing the award of scholarships in memory of Lorraine Power Tharp and Mel Mitzner (thanks to Mindy Stern and Joel Sachs for their leadership); by arranging networking events (thanks to Tiffany Bardwell and Michelle Wildgrube); and by continuing regularly to obtain articles and publish our most important *N.Y. Real Property Law Journal* (thanks to Vince Di Lorenzo, Marvin Bagwell, Bill Colavito and Bill Johnson).

We have also taken significant leadership roles in the NYSBA House of Delegates where Ira Goldenberg was unanimously selected as one of two Section Delegates to the NYSBA Executive Committee and where Joel Sachs, Trish Watkins, Larry Wolk and Sam Tilton have all accepted membership on the several committees of the Section Delegates's Caucus (on the continuing legal education, membership and finance committees).

We have added a new co-chair for the Green Real Estate Committee and we welcome Joel Binstok who joins Nick Ward-Willis in leading this timely and active Committee.

As always, I stress the importance of all of our Committees. It is in committee meetings, programs and activities that the real work of the Section takes place. That is also where we can expand our real estate knowledge, continue to educate and advise New York real estate lawyers, and best serve the real estate community. It is also where you will meet fellow lawyers with similar interests, clients and practices and follow current developments in the areas of the law most relevant to you.

Please be sure your calendars note that Thursday, January 24, 2013 is the date of our Annual Meeting and Program at the New York Hilton.

Ben Weinstock has assembled a cast of stellar speakers who will discuss the updated third edition of the tenant's checklist of silent lease issues, the restaurant leasing checklist, using environmental insurance to manage risk in real estate transactions, bad boy carveouts in exculpated loan transactions, the status of mortgage foreclosures, and, in the ethical sphere, recent developments in attorney escrow accounts and the representation of multiple parties in a real estate transaction. The program will also include a panel of experienced real estate lawyers discussing everything you wanted to know about real estate but were afraid to ask—a pre-

sentation on specific questions and issues we all raise and wonder about but for which we do not have easy answers.

Please also note the dates of July 11-14, 2013 when we will hold our Summer Meeting at the Mohonk Mountain House. David Berkey is already working on the program and it, too, promises to be timely and interesting.

We hope to see you at both of these meetings and at many of our CLE programs and Committee meetings.

**Steven M. Alden**

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