N.Y. REAL PROPERTY LAW JOURNAL INDEX (1998-present)

| | N. F. REAL PROPERTY LAW JOURNAL INDEX (1996-present) | | | | | | | | |
|-----------------------------------|--|--|---|---|--|--|--|--|--|
| Author | Vol. | No. | Issue | Yr. | Pg. | | | | |
| Vacco, Dennis C. | 26 | 1 | WINTER | 1998 | 3 | | | | |
| Sachs, Beth P.; Sachs, Joel H. | 26 | 1 | WINTER | 1998 | 7 | | | | |
| Pieper, Troy Gardiner | 26 | 1 | WINTER | 1998 | 10 | | | | |
| | 26 | 1 | WINTER | 1998 | 16 | | | | |
| | 26 | 1 | WINTER | 1998 | 17 | | | | |
| Coffey, Peter V. | 26 | 1 | WINTER | 1998 | 19 | | | | |
| | 26 | 1 | WINTER | 1998 | 20 | | | | |
| Bergman, Bruce J. | 26 | 1 | WINTER | 1998 | 21 | | | | |
| Hall, John G. | 26 | 2 | SPRING | 1998 | 39 | | | | |
| Holtzschue, Karl B. | 26 | 2 | SPRING | 1998 | 53 | | | | |
| Rubin, Paul | 26 | 2 | SPRING | 1998 | 59 | | | | |
| Jones, Barry J. | 26 | 2 | SPRING | 1998 | 61 | | | | |
| Hanson, Harold C. | 26 | 2 | SPRING | 1998 | 63 | | | | |
| Szwedo, Paul | 26 | 2 | SPRING | 1998 | 65 | | | | |
| Stern, Mindy H. | 26 | 2 | SPRING | 1998 | 67 | | | | |
| | 26 | 2 | SPRING | 1998 | 68 | | | | |
| | Pace Vacco, Dennis C. Sachs, Beth P.; Sachs, Joel H. Pieper, Troy Gardiner Coffey, Peter V. Bergman, Bruce J. Hall, John G. Holtzschue, Karl B. Rubin, Paul Jones, Barry J. Hanson, Harold C. Szwedo, Paul | e Vacco, Dennis C. 26 Sachs, Beth P.; Sachs, Joel H. 26 Pieper, Troy Gardiner 26 26 26 Coffey, Peter V. 26 Bergman, Bruce J. 26 Hall, John G. 26 Holtzschue, Karl B. 26 Rubin, Paul 26 Jones, Barry J. 26 Hanson, Harold C. 26 Szwedo, Paul 26 Stern, Mindy H. 26 | e Vacco, Dennis C. 26 1 Sachs, Beth P.; Sachs, Joel H. 26 1 Pieper, Troy Gardiner 26 1 26 1 26 1 Coffey, Peter V. 26 1 Bergman, Bruce J. 26 1 Hall, John G. 26 2 Holtzschue, Karl B. 26 2 Rubin, Paul 26 2 Jones, Barry J. 26 2 Hanson, Harold C. 26 2 Szwedo, Paul 26 2 Stern, Mindy H. 26 2 | e Vacco, Dennis C. 26 1 WINTER Sachs, Beth P.; Sachs, Joel H. 26 1 WINTER Pieper, Troy Gardiner 26 1 WINTER 26 1 WINTER Coffey, Peter V. 26 1 WINTER Bergman, Bruce J. 26 1 WINTER Hall, John G. 26 2 SPRING Holtzschue, Karl B. 26 2 SPRING Rubin, Paul 26 2 SPRING Jones, Barry J. 26 2 SPRING Hanson, Harold C. 26 2 SPRING Szwedo, Paul 26 2 SPRING Stern, Mindy H. 26 2 SPRING | e Vacco, Dennis C. 26 1 WINTER 1998 Sachs, Beth P.; Sachs, Joel H. 26 1 WINTER 1998 Pieper, Troy Gardiner 26 1 WINTER 1998 26 1 WINTER 1998 Coffey, Peter V. 26 1 WINTER 1998 Coffey, Peter V. 26 1 WINTER 1998 Bergman, Bruce J. 26 1 WINTER 1998 Hall, John G. 26 2 SPRING 1998 Holtzschue, Karl B. 26 2 SPRING 1998 Holtzschue, Karl B. 26 2 SPRING 1998 Jones, Barry J. 26 2 SPRING 1998 Hanson, Harold C. 26 2 SPRING 1998 Stern, Mindy H. 26 2 SPRING 1998 | | | | |

| New York City Watershed Agreement Provides Guidelines to Municipalities, Property Owners and Environmental Organizations | Sachs, Joel H. | 26 | 3 | SUMMER | 1998 | 79 |
|--|----------------------|----|---|--------|------|-----|
| Ruling on Debt Collection Law Threatens Dispossess Practices | DiGennaro, Janice J. | 26 | 3 | SUMMER | 1998 | 81 |
| The Enforceability of Due-on-Encumbrance Clauses | Croft, David J. | 26 | 3 | SUMMER | 1998 | 84 |
| Disclosure Requirements for Foreign Investors in the United States | Blyth, John E. | 26 | 3 | SUMMER | 1998 | 89 |
| Publishing the Summons (Bergman on Mortgage Foreclosures) | Bergman, Bruce J. | 26 | 3 | SUMMER | 1998 | 105 |
| "Due-On" Clauses: Are They Enforceable? | Blyth, John E. | 26 | 4 | FALL | 1998 | 115 |
| Hotel Investment and Lending Issues on the Downward Curve | McDaniel, K.C. | 26 | 4 | FALL | 1998 | 128 |
| Insurance Issues Related to Year 2000 Exposures | Reddy, Paul F. | 26 | 4 | FALL | 1998 | 134 |
| Whither the Consolidation Agreement? The Consolidated Note Triumphant | Forte, Joseph P. | 26 | 4 | FALL | 1998 | 144 |
| Bergman on Mortgage Foreclosures: Lis Pendens and the Order of Reference | Bergman, Bruce J. | 26 | 4 | FALL | 1998 | 148 |
| 1998 Mortgage Loan Opinion Report (Supplement) | | 26 | 4 | FALL | 1999 | |
| What Lender's Counsel Should Know About Loss Under a Mortgage Title Policy | Yorio, Albert E. | 27 | 1 | WINTER | 1999 | 3 |
| Non-Judicial Foreclosure of Commercial Mortgages Pursuant to Article 14 of the Real Property Actions and Proceedings Law | Fries, Richard S. | 27 | 1 | WINTER | 1999 | 8 |
| Deeds in Lieu of Foreclosure | Gardella, William P. | 27 | 1 | WINTER | 1999 | 12 |
| Spelling Counts When Searching Title | Jakoby, Arthur G. | 27 | 1 | WINTER | 1999 | 16 |
| LaSalle Update Crucial U.S. Supreme Court Decision Will Significantly Affect Real Estate Investments | Zinman, Robert M. | 27 | 1 | WINTER | 1999 | 19 |
| The STAR Tax Exemption | Pedowitz, James M. | 27 | 1 | WINTER | 1999 | 22 |
| New York State Title Insurance Industry Proposes Continuation of Title Insurance Coverage | Colavito, William A. | 27 | 1 | WINTER | 1999 | 27 |
| Bergman on Mortgage Foreclosures: When a Prior Action is Pending—A Matter of Strategy | Bergman, Bruce J. | 27 | 1 | WINTER | 1999 | 28 |
| | • | • | • | • | • | • |

| Using Voluntary Cleanup Agreements to Increase the Bankruptcy Pie— Not a Half-Baked Idea | Gershon, Andrew J. | 27 | 2 | SPRING | 1999 | 43 |
|--|--|----|---|--------|------|-----|
| Adventures in the Mortgage TradeA Case Study in Legal Ethics | Green, Bruce A.; Stein Joshua | 27 | 2 | SPRING | 1999 | 49 |
| Ethics and Professionalism | Holtzschue, Karl B. | 27 | 2 | SPRING | 1999 | 61 |
| Ethics Opinions 705 (43-97), 706 (19-1998), 707 (28-1998), 709 (55-97), 710 (35-1998) | | 27 | 2 | SPRING | 1999 | 69 |
| Bergman on Mortgage Foreclosures: When the Mortgage Assignee Does Not Have to Be Substituted | Bergman, Bruce J. | 27 | 2 | SPRING | 1999 | 76 |
| Report from Real Property Section Committee on Professionalism Concerning Executive Committee's Survey of Real Estate Practices | | 27 | 2 | SPRING | 1999 | 78 |
| Questionnaire to District RepresentativesReal Estate Closings and the Unauthorized Practice of Law | | 27 | 2 | SPRING | 1999 | 79 |
| Peconic Bay Transfer Tax Legislation | Mitzner, Melvyn | 27 | 3 | SUMMER | 1999 | 88 |
| LaSalle and the Future of Real Estate Investments | Zinman, Robert M. | 27 | 3 | SUMMER | 1999 | 91 |
| Another Blow to a Municipality's Tax Base—New Owners of Generating Facilities May Be Denominated Article 9-A Corporations and Thereby "Exempt" from Real Property Taxation | Hovancik, Damian; Lansing, Mark D. | 27 | 3 | SUMMER | 1999 | 95 |
| Utility Valuation Following Deregulation Revisited as Court of appeals Speaks on Utility and Commercial Property Valuation in Tax Certioraris | Lansing, Mark D. | 27 | 3 | SUMMER | 1999 | 101 |
| Lenders Awarded Post-Foreclosure Rights | Kingsley, Howard W. | 27 | 3 | SUMMER | 1999 | 107 |
| Residential Building and Zoning Checklist | Grossman, James S. | 27 | 3 | SUMMER | 1999 | 110 |
| Post-Closing Improvements to Real Property May Diminish Owner's Title Policy Coverage | Petrillo, Joseph S. | 27 | 3 | SUMMER | 1999 | 112 |
| Bergman on Mortgage Foreclosures: Assault on Foreclosure Judgment Interest | Bergman, Bruce J. | 27 | 3 | SUMMER | 1999 | 114 |
| Tenant's Checklist of Silent Lease Issues | NYSBA Real Property Law Section Commercial Leasing Committee | 27 | 4 | FALL | 1999 | 123 |

| Department of Taxation and Finance rulings on commercial Credit Line Mortgages | Berey, Michael J. | 27 | 4 | FALL | 1999 | 139 |
|---|----------------------|----|---|--------|------|-----|
| When Co-Insureds Go to War | Jakoby, Arthur G. | 27 | 4 | FALL | 1999 | 145 |
| The Nassau County Transfer Tax | Mitzner, Melvyn | 27 | 4 | FALL | 1999 | 147 |
| A Seller's Best Defense: Carefully Drafted Brokerage Agreements | Gerstel, Linda | 27 | 4 | FALL | 1999 | 152 |
| MetLife Capital Financial Corporation v. Washington Avenue Associates, L.P. | Newman, Jeffrey H. | 27 | 4 | FALL | 1999 | 154 |
| Bergman on Mortgage Foreclosures: The Scheme Which Can Provide a Defense | Bergman, Bruce J. | 27 | 4 | FALL | 1999 | 157 |
| What Title Insurance Does Not Cover | Pedowitz, James M. | 28 | 1 | WINTER | 2000 | 3 |
| Impending Revision of New York's UCC Article 9 Presents Many Cooperative Apartment Issues | Miller, Joel E. | 28 | 1 | WINTER | 2000 | 10 |
| Adventures in Home Sales: A Case Study in Legal Ethics | Holtzschue, Karl B. | 28 | 1 | WINTER | 2000 | 16 |
| The Ethical Real Property Lawyer | Coffey, Peter V. | 28 | 1 | WINTER | 2000 | 23 |
| Bergman on Mortgage Foreclosures: When They Finally Render Low the Bad Guys | Bergman, Bruce J. | 28 | 1 | WINTER | 2000 | 28 |
| Real Property Law Section Historic Preservation Trip to Chicago an Unqualified Success | Sachs, Joel H. | 28 | 1 | WINTER | 2000 | 29 |
| Solving the Mortgage Tax Barrier to Defeasance in New York | Forte, Joseph Philip | 28 | 2 | SPRING | 2000 | 36 |
| Chinese Walls of Dubious Value in New York State | Blyth, John E. | 28 | 2 | SPRING | 2000 | 41 |
| Did the Appellate Term in <i>Paikoff</i> Come to the Right Conclusion as to Who Is a "Non-Purchasing Tenant?" | Miller, Joel E. | 28 | 2 | SPRING | 2000 | 44 |
| In the Fight to Streamline Single Asset Real Estate Bankruptcies— Dangerous and Disturbing Arguments | Zinman, Robert M. | 28 | 2 | SPRING | 2000 | 56 |
| Recent Cases of Interest: Town Board's Rezoning of Golf Course Not Considered Regulatory Taking | | 28 | 2 | SPRING | 2000 | 59 |
| | • | | • | | | • |

| Recent Cases of Interest: Lenders May Be Unable to Prosecute False Statements on Loan Applications if a Form Question Is Fundamentally Ambiguous | | 28 | 2 | SPRING | 2000 | 60 |
|--|-------------------------------------|----|---|---------|------|-----|
| Bergman on Mortgage Foreclosures: The Irksome Case of the Hyperactive Referee | Bergman, Bruce J. | 28 | 2 | SPRING | 2000 | 61 |
| Nuggets of New York Commercial Mortgage Law and Practice (A to Z) | Stein, Joshua | 28 | 3 | SUMMER | 2000 | 75 |
| Real Estate Transfer Taxes: The Mere Change Exemption and Controlling Interest Transfers | Berey, Michael J. | 28 | 3 | SUMMER | 2000 | 87 |
| When Does Coverage Continue Under an Existing title Insurance Policy? | Bagwell, Marvin N. | 28 | 3 | SUMMER | 2000 | 89 |
| The Nassau County Fiscal Problems—Sui Generis? | Santemma, Jon N. | 28 | 3 | SUMMER | 2000 | 94 |
| The New York State Low Income Housing Tax Credit: Encouraging Private Investment in Affordable Housing | Hicks, Steven | 28 | 3 | SUMMER | 2000 | 97 |
| Bergman on Mortgage Foreclosures: Effect of an Appeal on a Foreclosure | Bergman, Bruce J. | 28 | 3 | SUMMER | 2000 | 100 |
| Recent Legislative Activity Sparks Debate of Real Property Disclosure | Barletta, T.; Kennedy, Ronald F. | 28 | 4 | FALL | 2000 | 106 |
| 2000 NYSBA Residential Contract of Sale: Mortgage Commitment Contingency Clause and Other Changes | Holtzschue, Karl B. | 28 | 4 | FALL | 2000 | 107 |
| The Guaranty Agreement in Loan Transactions | Gardella, William P. | 28 | 4 | FALL | 2000 | 114 |
| Vouching-In: The Key to the Sublessor's Defense of a Sublessee's Warranty of Habitability Counterclaim | Loughman, Edward D., | 28 | 4 | FALL | 2000 | 121 |
| Going National | Corbett, Michael L. | 28 | 4 | FALL | 2000 | 123 |
| A Brief Primer on Encroachments | Lawrence, Ruddick C., Jr. | 28 | 4 | FALL | 2000 | 124 |
| Bergman on Mortgage Foreclosures: Deficiency Judgments and the Workout Agreement | Bergman, Bruce J. | 28 | 4 | FALL | 2000 | 128 |
| New York City's Other Appellate Term Disagrees With Paikoff as to Who Is a "Non-Purchasing Tenant" | Miller, Joel E. | 29 | 1 | WIN/SPR | 2001 | 3 |

| The Right of Self-Help in the Residential Landlord-Tenant Context | Curtis, Mary H. | 29 | 1 | WIN/SPR | 2001 | 10 |
|---|--------------------------------------|----|---|---------|------|----|
| The Tale of Camp Rural Retreat, or Why Real Estate Brokers Should Not Be Involved in the Preparation [or Execution] of Contracts of Sale for Real Estate Transactions | Konner, Dennis A. | 29 | 1 | WIN/SPR | 2001 | 14 |
| Continuous Use or Operating Covenants: Express and Implied | Blyth, John E. | 29 | 1 | WIN/SPR | 2001 | 16 |
| Bergman on Mortgage Foreclosures: The Judgment Is Final | Bergman, Bruce J. | 29 | 1 | WIN/SPR | 2001 | 24 |
| Basics of Revised UCC Article 9 | Berey, Michael J. | 29 | 2 | SUMMER | 2001 | 31 |
| The New Cooperative Apartment Contract of Sale | Berkey, David L.; Kahn, Ronald S. | 29 | 2 | SUMMER | 2001 | 34 |
| Appendix: Contract of Sale | | 29 | 2 | SUMMER | 2001 | 39 |
| Owners Renting Illegal Apartments May Be in for More Than They Bargained For | Lee, R. Randy | 29 | 2 | SUMMER | 2001 | 50 |
| The Demons of Recordation | Rifkin, Bernard M. | 29 | 2 | SUMMER | 2001 | 55 |
| Conveyancing (Deeds): An Annotated Outline | Pedowitz, James M. | 29 | 2 | SUMMER | 2001 | 58 |
| Bergman on Mortgage Foreclosures: Mortgage Modification and the Mortgage Tax | Bergman, Bruce J. | 29 | 2 | SUMMER | 2001 | 64 |
| New York Small Business Market After 9/11 | Steinberg, Paul | 30 | 1 | WINTER | 2002 | 3 |
| Real Property Questions and Answers on the World Trade Center Tragedy from the State Bar Web Site | Leeds, Matthew J. | 30 | 1 | WINTER | 2002 | 8 |
| Property Condition Disclosure Act Enacted | Holtzschue, Karl B. | 30 | 1 | WINTER | 2002 | 15 |
| FannieMae/FreddieMac Mortgage | Baum, Steven J. | 30 | 1 | WINTER | 2002 | 26 |
| Bergman on Mortgage Foreclosures: Thanks for Nothing (Or, the Danger of Being Gracious to Borrowers) | Bergman, Bruce J. | 30 | 1 | WINTER | 2002 | 35 |
| Habitability Issues at Ground Zero: Reconsidering Real Property Law § 235-b in the Wake of September 11th | Berg, Jay | 30 | 2 | SPRING | 2002 | 43 |
| Insurance Issues Resulting from the Attack on AmericaSeptember 11, 2001 | Branigan, James E. | 30 | 2 | SPRING | 2002 | 51 |
| | • | • | • | • | • | |

| City and State Rulings Open the Door for Synthetic Leases in New York | Stein, Joshua | 30 | 2 | SPRING | 2002 | 55 |
|--|--|----|---|--------|------|-----|
| Federal Preemption of Real Estate Lending Activities of OTS Regulated Lenders | Hall, John G. | 30 | 2 | SPRING | 2002 | 59 |
| Housing Cooperatives: Ownership by Trusts: A Retrospective and a Forecast | Rosenbloom, Anita; Siegler, Richard | 30 | 2 | SPRING | 2002 | 65 |
| Have Reports of the Death of the Duty to Mitigate in New York Been Greatly Exaggerated? A New Interpretation of Holy Properties Ltd., L.P. V. Kenneth Cole Productions, Inc. | Jason Kee Low | 30 | 2 | SPRING | 2002 | 77 |
| Real Estate Developers: Don't Buy the Farm! | Kern, John D. | 30 | 2 | SPRING | 2002 | 82 |
| Bergman on Mortgage Foreclosures: Non-Judicial Foreclosures Renewed in New York | Bergman, Bruce J. | 30 | 2 | SPRING | 2002 | 88 |
| New York State Bar Association Committee on Professional Ethics | Coffey, Peter V. | 30 | 2 | SPRING | 2002 | 89 |
| Bar Association Announces Web Site Redesign | Berey, Michael J. | 30 | 2 | SPRING | 2002 | 91 |
| Property Condition Disclosure Act: Another Interpretation | Krieger, Abraham, B. | 30 | 3 | SUMMER | 2002 | 100 |
| Property Condition Disclosure Act: Implications of the \$500 Credit | Holtzschue, Karl B. | 30 | 3 | SUMMER | 2002 | 100 |
| Abusive Bankruptcy Filings in Foreclosures and Their Effects on Common Charge Liens: A Discussion and Proposal | Lombino, Richard M. | 30 | 3 | SUMMER | 2002 | 104 |
| Committee on Not-For-Profit Entities and Concerns: An Outline of Real Estates Issues Affecting Not-For-Profit Entities | | 30 | 3 | SUMMER | 2002 | 109 |
| American College of Real Estate Lawyers 2002 | Schiller, Ross | 30 | 3 | SUMMER | 2002 | 117 |
| Foreclosure No Long Option for Matrimonial Attorney Fee Recovery | Mower, Jay Bryan | 30 | 3 | SUMMER | 2002 | 119 |
| Student Case Note: 40 West 67th Street v. Pullman | | 30 | 3 | SUMMER | 2002 | 120 |
| Landlord's Checklist of Silent Lease Issues | Compton, S.H. Spencer.; Stein, Joshua | 30 | 3 | SUMMER | 2002 | 122 |
| Bergman on Mortgage Foreclosures Interest on Mortgage—A New Formula | Bergman, Bruce J. | 30 | 3 | SUMMER | 2002 | 150 |

| How to Prevent Email Embarrassments, Control the Email Deluge, and | Stein, Joshua | 30 | 4 | FALL | 2002 | 159 |
|---|--|----|---|---------|------|-----|
| Get People to Read the Email You Send | | | | | | |
| Courtesy, Professionalism and Ethics: E-mail, the Internet and Computers | Connery, Nancy Ann | 30 | 4 | FALL | 2002 | 171 |
| New York's Green Building Credit: Tax Relief for a Greener New York | Doyle, Christopher L.; Sabol, Andrew B.; Fong, Samantha A. | 30 | 4 | FALL | 2002 | 178 |
| Commercial Applications of the New UCC Insurance Policy | Compton, S.H. Spencer | 30 | 4 | FALL | 2002 | 182 |
| Landlord's Checklist of Silent Lease Issues (Second Edition) | Stein, Joshua; Compton, S.H. Spencer | 30 | 4 | FALL | 2002 | 184 |
| Bergman on Mortgage Foreclosures: Mortgage Language and the Borrower in Hiding | Bergman, Bruce J. | 30 | 4 | FALL | 2002 | 217 |
| Significant Changes in New York Rules Governing Fiduciary Appointments | Gilbride, Terrence M. | 31 | 1 | WIN/SPR | 2003 | 3 |
| Property Condition Disclosure Act: First Case Has Right Result for Wrong Reasons | Holtzschue, Karl B. | 31 | 1 | WIN/SPR | 2003 | 5 |
| Municipal Border Wars—Size Does Matter! | Sachs, Joel H. | 31 | 1 | WIN/SPR | 2003 | 9 |
| Agricultural Districts and Agricultural Assessments | Blyth, John E. | 31 | 1 | WIN/SPR | 2003 | 13 |
| Palazzolo v. Rhode Island: The Supreme Court Opens the "Takings" Door a Bit Wider | Essler, Karl S. | 31 | 1 | WIN/SPR | 2003 | 18 |
| The Second Department Muddies the Waters | Lasky, Jerome M. | 31 | 1 | WIN/SPR | 2003 | 24 |
| "Provided Title is Not Rendered Unmarketable Thereby" | Pedowitz, James M. | 31 | 1 | WIN/SPR | 2003 | 28 |
| Title Insurance: "Rights of Tenants or Persons in Possession" | Pedowitz, James M. | 31 | 1 | WIN/SPR | 2003 | 30 |
| Stolen Identity—A Real Estate Caveat | Pedowitz, James M. | 31 | 1 | WIN/SPR | 2003 | 32 |
| Bergman on Mortgage Foreclosures: When the Borrower Tenders All Arrears | Bergman, Bruce J. | 31 | 1 | WIN/SPR | 2003 | 34 |
| "A Little Learning Is a Dang'rous Thing; Drink Deep, or Taste Not the Pierian Spring" (Alexander Pope, 1688-1744—"An Essay on Criticism") | Meyer, Harry G. | 31 | 2 | SUMMER | 2003 | 47 |

| The Impact of New York's Impact Fee Jurisprudence | Fiorella, Andrew G. | 31 | 2 | SUMMER | 2003 | 48 |
|--|--------------------------------------|----|---|--------|------|----|
| The State of Marketable Title | Compton, S.H. Spencer | 31 | 2 | SUMMER | 2003 | 57 |
| What Is the New TOEPP Title Policy? | Pedowitz, James M. | 31 | 2 | SUMMER | 2003 | 61 |
| Representing Clients During Divorce and Bankruptcy: How New York's Domestic Relations Law Impacts Title to Property | Vopat, Edward W. | 31 | 2 | SUMMER | 2003 | 73 |
| Bergman on Mortgage Foreclosures: Consolidated Mortgage Priority Over Condo Lien | Bergman, Bruce J. | 31 | 2 | SUMMER | 2003 | 77 |
| Case Note: Department of Housing & Urban Development v. Rucker | Smetana, Brian S. | 31 | 2 | SUMMER | 2003 | 79 |
| Court of Appeals Holds Courts Powerless to Review Cooperative's Factual Findings | Miller, Joel E. | 32 | 1 | WINTER | 2004 | 4 |
| Business Judgment Rule and Fiduciary Obligations Are Applied to Shareholder Decisions in Cooperative Housing Corporations, The | DiLorenzo, Vincent | 32 | 1 | WINTER | 2004 | 10 |
| Representing a Purchaser in an REO ("Real Estate Owned") Transaction | Baum, Steven J. | 32 | 1 | WINTER | 2004 | 12 |
| Local Law 47 and its Applicability to Absentee Landlords | Miglino, Michael | 32 | 1 | WINTER | 2004 | 14 |
| New York's Navigation Law Gets CERCLA'd: Trend or Misstep? | Demerle, Angela M. | 32 | 1 | WINTER | 2004 | 15 |
| Surviving the Bankruptcy Process: A Guide for the Shopping Mall Owner | Pomerantz, Daniel M. | 32 | 1 | WINTER | 2004 | 19 |
| Bergman on Mortgage Foreclosures: When the Borrower Hides from a Deficiency | Bergman, Bruce J. | 32 | 1 | WINTER | 2004 | 24 |
| Mortgage Foreclosure Sale Skullduggery | Coffey, Peter V. | 32 | 2 | SPRING | 2004 | 32 |
| Condominium Liens and the Priority of a Consolidated First Mortgage— Revisited | Sharrow, Joel David | 32 | 2 | SPRING | 2004 | 40 |
| New York City Transfer Tax on Multiple Cooperatives and Condominiums | Berey, Michael J. | 32 | 2 | SPRING | 2004 | 44 |
| New York's New Brownfield Law | Rigano, James P.; Cohen, Barry S. | 32 | 2 | SPRING | 2004 | 51 |
| Private Standing to Restrain Zoning Violations | Brodnick, Andrew D. | 32 | 2 | SPRING | 2004 | 57 |

| Got Mold? | Schauf, Fred | 32 | 2 | SPRING | 2004 | 60 |
|--|--|----|---|----------|------|----|
| Bergman on Mortgage Foreclosures: Process Service and the Statute of Limitations | Bergman, Bruce J. | 32 | 2 | SPRING | 2004 | 63 |
| How Much Protection Does a Leasehold Mortgage Need? | Stein, Joshua | 32 | 3 | SUM/FALL | 2004 | 75 |
| The Illegal Multiple Dwelling in New York City | Lebovits, Gerald; Curtin, Daniel J., Jr. | 32 | 3 | SUM/FALL | 2004 | 83 |
| Bundled Real Estate Services and Closing Cost Estimates: Give Clients a Straight Answer | Roach, Peter T. | 32 | 3 | SUM/FALL | 2004 | 92 |
| Jennifer and Pullman—A Dynamic Duo for the West Gate Coop | Parella, Robert E. | 32 | 3 | SUM/FALL | 2004 | 95 |
| Bergman on Mortgage Foreclosures: Verifying the Foreclosure Complaint? | Bergman, Bruce J. | 32 | 3 | SUM/FALL | 2004 | 98 |
| AXYS, LLC v. NG: A Close Encounter of the Marketable Title Kind | Bagwell, Marvin N. | 33 | 1 | WINTER | 2005 | 3 |
| The AXYS, LLC Decision—Another Point of View | Pedowitz, James M. | 33 | 1 | WINTER | 2005 | 3 |
| Non-Lawyer Closing Agents and the Unlawful Practice of Law | The Unlawful Practice of Law Committee of the Bar Association of Erie County | 33 | 1 | WINTER | 2005 | 9 |
| Residential Contract Fine Print and Contingencies—Protections a Real Estate Lawyer Can Provide | Saia, Nancy W. | 33 | 1 | WINTER | 2005 | 9 |
| New Directions in Mortgage Law: Restatements and Uniform Laws | Whitman, Dale A. | 33 | 1 | WINTER | 2005 | 14 |
| When Does a "Principal Residence" Exemption Excuse a Non-Resident from Making Time-of-Sale Estimated N.Y. State Income-Tax Payments? | Miller, Joel E. | 33 | 1 | WINTER | 2005 | 23 |
| Locating Utility Easements: A Detailed Analysis | Greenan, Gerald J. | 33 | 1 | WINTER | 2005 | 28 |
| A Report on the Current Use of Title Insurance in International Real Estate Transactions | Calder, J. Michael; Compton, S.H. Spencer | 33 | 1 | WINTER | 2005 | 33 |
| Joint and Several Liability of Individual Condominium Unit Owners | Di Lorenzo, Vincent | 33 | 1 | WINTER | 2005 | 37 |
| Tenancy by the Entirety in New York | Pedowitz, James M. | 33 | 1 | WINTER | 2005 | 41 |

| Bergman on Mortgage Foreclosures: Use and Occupation in Strict Foreclosure | Bergman, Bruce J. | 33 | 1 | WINTER | 2005 | 44 |
|---|---|----|---|--------|------|-----|
| Case Note: Seneca Nation of Indians v. New York | | 33 | 1 | WINTER | 2005 | 46 |
| Model Insurance Requirements for a Commercial Mortgage Loan | Branigan, James E.; Stein, Joshua | 33 | 2 | SPRING | 2005 | 59 |
| Nuisance Holdovers in New York | Lebovits, Gerald; Curtin, Daniel J., Jr. | 33 | 2 | SPRING | 2005 | 68 |
| Responses of the Legislature and the Bar Associations to Court Decisions on Sales of Residences | Holtzschue, Karl B. | 33 | 2 | SPRING | 2005 | 78 |
| Post-Eviction Motions to Restore | Lebovits, Gerald | 33 | 2 | SPRING | 2005 | 84 |
| Bergman on Mortgage Foreclosures: (Who Cares About) Entering the Foreclosure Judgment | Bergman, Bruce J. | 33 | 2 | SPRING | 2005 | 96 |
| Case Note: 767 Third Avenue LLC v. Orix Capital Markets LLC | | 33 | 2 | SPRING | 2005 | 97 |
| The UCC Title Insurance Policy (First American's EAGLE 9™ Policies) | Blyth, John E. | 33 | 3 | SUMMER | 2005 | 108 |
| A Time-Saving Alternative to Complicated, Long-Winded survey Certificates (With Form) | Stein, Joshua | 33 | 3 | SUMMER | 2005 | 110 |
| Valuation Date Changed to July 1 of Prior Year in Most Municipalities | Harrison, Stephen J.; O'Keeffe, James J. | 33 | 3 | SUMMER | 2005 | 119 |
| Saving Your Development Project from the Endangered Species List | Fishman, Michael S. | 33 | 3 | SUMMER | 2005 | 120 |
| Meter Tampering—Who's to Blame? | Ripin, Peter M. | 33 | 3 | SUMMER | 2005 | 123 |
| Native Americans Cannot Regain Sovereignty over Former Tribal Lands by Purchase: A Big Victory for a Small City | Cumo-Smith, Tammy L. | 33 | 3 | SUMMER | 2005 | 124 |
| Bergman on Mortgage Foreclosures: (Those Sneaky) Legal Fees Paid Under Protest | Bergman, Bruce J. | 33 | 3 | SUMMER | 2005 | 128 |
| Letters to the Editor of The New York Times | | 33 | 3 | SUMMER | 2005 | 132 |
| Military Law in New York Landlord-Tenant Actions and Proceedings | Lebovits, Gerald | 33 | 4 | FALL | 2005 | 145 |

| Determining the Proper Amount of Coverage in an Owner's Leasehold Title Insurance Policy | Blyth, John E. | 33 | 4 | FALL | 2005 | 159 |
|---|--|----|---|--------|------|-----|
| A Call to Conscience: Remedy for Harsh Result in Oppressive New York Tax Enforcement Procedures Overdue | Turley, Elaine A. | 33 | 4 | FALL | 2005 | 162 |
| New Bankruptcy Law Affects Real Estate Investments | Zinman, Robert M. | 33 | 4 | FALL | 2005 | 173 |
| Kelo v. City of New London—The Fallout Continues | Sachs, Joel H. | 33 | 4 | FALL | 2005 | 176 |
| Use of an Apostille in a United States Real Estate Transaction | Blyth, John E. | 33 | 4 | FALL | 2005 | 180 |
| Report on Surveys About PCDA | Tilton, Sam; Sachs, Joel; Holtzschue, Karl | 33 | 4 | FALL | 2005 | 183 |
| Bergman on Mortgage Foreclosures: Mortgage Filing Error—And Why Title Insurance Is Vital | Bergman, Bruce J. | 33 | 4 | FALL | 2005 | 186 |
| In Memoriam: Edith I. Spivack, Esq. | | 33 | 4 | FALL | 2005 | 187 |
| Recent Cases on Professional Practice | Copps, Anne Reynolds ; Tartaglia, Alfred C.; Petro, Michael P. | 33 | 4 | FALL | 2005 | 188 |
| Case Note: Eastside Exhibition Corp. v. 210 East 86th Street Corp. | | 33 | 4 | FALL | 2005 | 192 |
| Section News: Legislative Committee Report | | 33 | 4 | FALL | 2005 | 194 |
| Section News:New Member Mentor Program | | 33 | 4 | FALL | 2005 | 196 |
| The Equitable Mortgage: Its Creation, Enforceability and Lien Priority | Sharrow, Joel David | 34 | 1 | SPRING | 2006 | 6 |
| Will the Courts Render RPTL § 720(1)(b) Unconstitutional? | Lansing, Mark D. | 34 | 1 | SPRING | 2006 | 11 |
| How to Pay Off a Mortgage in Foreclosure | Baum, Steven J. | 34 | 1 | SPRING | 2006 | 15 |
| Discharging An Old Mortgage | Pedowitz, James M. | 34 | 1 | SPRING | 2006 | 18 |
| "What You Don't Know Can't Hurt You" Not Necessarily Applicable to Mortgage Lenders | Mackey, Paul G. | 34 | 1 | SPRING | 2006 | 21 |
| | | | | | | |

| The Second Annual Upstate Affordable Housing Conference | Hezel, Rachel M.; Lawrence, Joshua K.; Sandison, Patricia C. | 34 | 1 | SPRING | 2006 | 25 |
|---|--|----|---|--------|------|-----|
| Tenancy by the Entirety and Same Sex Marriage in New York | Pedowitz, James M. | 34 | 1 | SPRING | 2006 | 30 |
| Service of Process and Traverse hearings in Landlord-Tenant Actions and Proceedings | Lebovits, Gerald; Li, Matthias W. | 34 | 1 | SPRING | 2006 | 32 |
| Deadline Looms for UCC Article 9: Cooperative Unit Security Interests Impacted | Berey, Michael J. | 34 | 1 | SPRING | 2006 | 43 |
| Bergman on Mortgage Foreclosures: Consequences of Delay | Bergman, Bruce J. | 34 | 1 | SPRING | 2006 | 45 |
| How Assignment Restrictions in Leases Apply to Corporate Transactions | Stein, Joshua | 34 | 2 | FALL | 2006 | 54 |
| Nonprimary-Residence Holdover Proceedings | Lebovits, Gerald; Li, Matthias W. | 34 | 2 | FALL | 2006 | 63 |
| Roommates in New York Law | Lebovits, Gerald | 34 | 2 | FALL | 2006 | 73 |
| Subletting in New York Law | Lebovits, Gerald | 34 | 2 | FALL | 2006 | 79 |
| Real Property Transfer Tax and Mortgage Tax Traps in Conveyance of Condominium Units in New York City | Benlevi, Yosi (Joe) | 34 | 2 | FALL | 2006 | 89 |
| RPLS Task Force on Attorney Escrows Current Practice, Alternatives and Improvements | | 34 | 2 | FALL | 2006 | 93 |
| Model Bank Escrow Deposit Agreement | | 34 | 2 | FALL | 2006 | 98 |
| Extension of Reduced Real Estate Transfer Tax Rate for Real Estate Investment Trusts | | 34 | 2 | FALL | 2006 | 106 |
| Bergman on Mortgage Foreclosures: Forgetting Assignment Proves Fatal | Bergman, Bruce J. | 34 | 2 | FALL | 2006 | 109 |
| The Purchaser Hasn't a Ghost of a Chance: Update on PCDA Cases and PCDA Revision | Holtzschue, Karl B. | 35 | 1 | WINTER | 2007 | 7 |
| Restrictions on Sale of Condominium Units | Di Lorenzo, Vincent | 35 | 1 | WINTER | 2007 | 22 |

| Title Insurance Agent Licensing Law Controlled Business Restrictions Should Not Apply to Attorneys Who Provide Title Insurance to Clients | Johnson, William P. | 35 | 1 | WINTER | 2007 | 26 |
|---|---|----|---|---------|------|----|
| RLUIPA and Land Use Regulations | Sachs, Joel H. | 35 | 1 | WINTER | 2007 | 28 |
| Legislative Committee Report | Compton, S.H. Spencer | 35 | 1 | WINTER | 2007 | 34 |
| The Deficit Reduction Act of 2005 and Its Effect Upon Transfers of Assets and Real Property for Long Term Care Planning Purposes | Enea, Anthony J. | 35 | 1 | WINTER | 2007 | 36 |
| NYC Tax Appeals Tribunal Applies Lower Transfer Tax Rate Schedule to Uncombined Condominium Units to Be Used as Singe Residence | Miller, Joel E. | 35 | 1 | WINTER | 2007 | 41 |
| Bergman on Mortgage Foreclosures: New Roadblock in New York Evictions After Foreclosure | Bergman, Bruce J. | 35 | 1 | WINTER | 2007 | 43 |
| Case Note: Calvagno v. Bisbal | | 35 | 1 | WINTER | 2007 | 44 |
| The Home Equity Theft Prevention Act | Pedowitz, James M. | 35 | 2 | SPR/SUM | 2007 | 7 |
| An Overview of Executive Order 13224 Compliance | Sandison, Patricia | 35 | 2 | SPR/SUM | 2007 | 10 |
| Drug Holdover Proceedings: An Overview from "Knew," to "Should Have Known," to "Strict Liability" | Lebovits, Gerald; Seidman, Douglass J. | 35 | 2 | SPR/SUM | 2007 | 16 |
| Housing Judge Rules that Attorney General's Acceptance of Conversion Plan Nullifies Holdover Proceedings Against Persons Otherwise Unentitled to Remain in Possession | Miller, Joel E. | 35 | 2 | SPR/SUM | 2007 | 27 |
| Title Insurance Products for Co-ops: Increasingly Higher-Cost Apartments Are Compelling Practitioners to Rethink Their Strategies | Compton, S.H. Spencer | 35 | 2 | SPR/SUM | 2007 | 30 |
| Subject to the Approval of My Attorney Clauses | Ferguson, Dorothy H. | 35 | 2 | SPR/SUM | 2007 | 35 |
| New York Lien Law Considerations in Construction Lending Transactions | Bouman, John K. | 35 | 2 | SPR/SUM | 2007 | 40 |
| Bergman on Mortgage Foreclosures: Yes, Absence of the Breach Letter Can Be Fatal to the Foreclosure | Bergman, Bruce J. | 35 | 2 | SPR/SUM | 2007 | 59 |
| New York's RPTL § 581-a: The Missing Link to Rental Housing Authority? | Lawlor, Brian E.; McCartney, Brian P. | 35 | 3 | FALL | 2007 | 6 |

| New Title Policy Forms Now Required in New York | Bagwell, Marvin N. | 35 | 3 | FALL | 2007 | 10 |
|--|---------------------------------------|----|---|------|------|----|
| Earnest Money Deposits as True Option Premiums? An Examination of Real Estate Down Payments and Forfeiture—From Lawrence v. Miller to Uzan v. 845 UN Limited Partnership | Eliav, Arthur G.; Ginzburg, Daniel | 35 | 3 | FALL | 2007 | 13 |
| Water and Sewer Charges in New York City | Augspach, Francisco | 35 | 3 | FALL | 2007 | 21 |
| Assumption or Rejection of Commercial Leases Under BAPCPA | Kozlowski, David J. | 35 | 3 | FALL | 2007 | 30 |
| How the Residential Mortgage-Backed Securities Market Impacts Dirt Lawyers and Their Clients | Reiss, David J. | 35 | 3 | FALL | 2007 | 35 |
| Bergman on Mortgage Foreclosures: When Property Is Lost for Taxes—No Salvation Here | Bergman, Bruce J. | 35 | 3 | FALL | 2007 | 39 |