

Message from the Outgoing Section Chair



One year ago, when I wrote my message as the incoming Section Chair, I said I was fortunate to follow a long line of terrific chairs who

left the Section in fantastic shape. Now, I am pleased to report that I am equally fortunate to precede a line of stellar chairs, vice chairs and a secretary who will keep the Section in wonderful shape and will continue to carry on the Section's mission of providing first-rate continuing legal education programs, books and materials, creating and advancing a cooperative and collegial real estate Bar, proposing and monitoring legislation affecting real estate and real estate lawyers, and developing fair, just, necessary and appropriate real property law in New York State.

Ben Weinstock, the incoming Section Chair, has already distinguished himself by planning, organizing, and overseeing our 2012 Summer Meeting and our 2013 Annual Meeting. Both meetings were truly sensational and the Summer Meeting was the first meeting to produce a significant profit for the Section. David Berkeley, the incoming First Vice-Chair, has already broken important new ground for the Section. David created, nurtured and leads our student intern program, lining up half a dozen law schools around the State to provide law student interns, specifically interested in real estate law, to work with active real estate lawyers in large and small law firms, which David recruited to participate in the program. Leon Sawyko, having faithfully and accurately kept detailed minutes of our Executive Committee meetings, now moves up the ladder to become Second Vice-Chair, and he is already deep into planning our

2014 Summer Meeting. Our new, incoming Secretary, Mindy Stern, has been one of the most active members of our Section, having served most recently as co-chair of our Committee on Not-For-Profit Entities and Concerns, as Chair of our Task Force on Attorney Escrows, as a member of our Diversity Committee and as the Chair of our Lorraine Power Tharp scholarship award committee. Finally, we continue to benefit from the long-time service of Spencer Compton, as our watchful and protective Budget Officer. A superb team indeed.

During the past year, several members have rendered service to our Section well above and beyond the call of duty. I particularly recognize and thank Karl Holtzschue, winner of our most recent Professionalism Award, for his continuing leadership of our Legislation Committee and his organization and leadership of our annual Lobby Day in Albany (where we regularly meet with members of the State Senate and Assembly and where George Haggerty has enabled us to meet with the Governor as well), the father-son team of John and Tom Hall, who continue to volunteer, respectively, as leaders of our Task Force on Publications and our always active Title and Transfer Committee, Larry Wolk and Joe Walsh for their superb service in organizing and arranging our many well-attended CLE programs and events, Harry Meyer for promoting both increased membership and diversity for our Section and for serving as a mentor to many younger members, Brian Lustbader and Ken Block for making our relatively new Real Estate Construction Committee a resounding success, Vince Di Lorenzo, Bill Colavito, Marvin Bagwell and Bill Johnson for obtaining articles and producing and publishing our *N.Y. Real Property Law Journal*, and Mike Berey for wearing several hats as Chair of our Task Force on e-Recording Legislation and overseeing our website/

blog. I also thank our many other Committee chairs, Jerry Antetomaso, Joel Binstok, Lauren Breen, Peter Coffey, Nancy Connery, Anne Copps, Karla Corpus, Lew Creekmore, Joe DeSalvo, Ed Filemyr, Richard Fries, Matt Fuller, Garry Graber, Dennis Greenstein, Laureen Harris, Jimmy Lathrop, Linda Margolin, Laura Ann Monte, Greg Pressman, Chip Russell, Frank Sarratori, Richard Singer, Sam Tilton, Gino Tonetti, Stacy Wallach, Nick Ward-Willis, David Zinberg, and Bob Zinman. They have all arranged and conducted numerous committee meetings, keeping the Section active, vital and interesting for all of our members. We have also been the beneficiaries of the special assistance, particularly with membership and recruitment, of our thirteen District Representatives, all of whom are listed on p. 36 in this *Journal* and to whom we extend our sincere thanks and appreciation.

Also in the past year, we have significantly increased our role with the NYSBA through the activities of our representatives to the House of Delegates. Ira Goldenberg parlayed his position as one of our four delegates into the Chair of the Caucus of Section Delegates and, from there, he was unanimously selected to serve as one of the first two Section representatives on the Executive Committee of the NYSBA. Ira now represents all of the many Sections of the NYSBA and makes all of our own Section members proud of his work and our association with him. At the same time, our four delegates have become active members of the Section Delegates Caucus, with Joel Sachs, Trish Watkins, Larry Wolk and Sam Tilton accepting membership on the continuing legal education, membership and finance committees of the Caucus.

On the legislation front, one long-awaited success we achieved was with the legislation making the unlicensed practice of law a felony.

Several of our members, George Haggerty (now the Deputy Secretary for Financial Services under Governor Cuomo in Albany), Karl Holtzschue, John Hall and Harry Meyer promoted this legislation for several years and their success resonates well beyond our Section; it is a benefit to all lawyers in New York State.

On the financial front, after three years of running annual deficits, we returned to a significant surplus thanks to the groundwork laid by Heather Rogers, my immediate predecessor as Chair, and the help of Ben Weinstock, my immediate successor as Chair.

In January, we awarded the Lorraine Power Tharp scholarship to Alyssa Fortuna, a third-year student at Buffalo Law School. I am also pleased to report that since our Section has returned to generating a surplus, we were able to take the important step of increasing the amount we will provide to the New York Bar Foundation for the awarding of both of our sponsored scholarships—the

Lorraine Power Tharp scholarship and the Mel Mitzner scholarship. We now expect to be able to provide meaningful assistance to those students to whom these scholarships are awarded.

I have truly enjoyed my three years serving as an officer of the Section and working closely with all of our officers, committee chairs, task force chairs and district representatives. I also appreciate the attention, assistance and participation we've received from Seymour James, Jr., immediate past President of the NYSBA, and from Rich Martin, Lori Nicoll, and Vincent Titus, all of whom work for all of us in Albany, and from Tom Myers, our liaison with the NYSBA Executive Committee. There is, however, one person who is truly the absolute best, Tiffany Bardwell. I have especially enjoyed and benefited from her wonderful work as our liaison and meetings coordinator at the NYSBA in Albany. She is always there for our Section, watching out for us and watching over us.

Please be sure to keep July 11-13, 2013 on your calendar and join us at the gorgeous Mohonk Mountain House in New Paltz, New York for our 2013 Summer Meeting. The facilities are amazing; we are arranging some new, unique activities (fly fishing, for example), and David Berkey has assembled a superb line-up of speakers to deliver an educational and enjoyable two days of continuing legal education, including presentations on 1031 exchanges, current mortgage financing and foreclosure issues, the right to enter upon neighboring property for construction, lease escalation clauses, a panel on real estate broker issues, and Anne Copps's chocolate-covered course on ethics.

In closing, I thank you for my tenure as an officer of the Section. I am honored and delighted to have been given the opportunity to serve you. I thank you all for enriching my life with this experience.

Steven M. Alden

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