

## MINUTES

### CBA Real Estate Law Section Council

**Date: Tuesday, March 15, 2022 – 3:00 p.m.**

In-person/Zoom

### Colorado Bar Association

1290 Broadway, Ste. 1700

Denver, Colorado 80203

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**Call to Order** 3:01 pm

**1. Introduction of Guests** ..... Melinda Pasquini

Ms. Amy Brimah acted as the meeting chair. Ms. Brimah welcomed all guests including those attending by Zoom.

**2. Approval of February Minutes** ..... Melinda Pasquini

The February 2022 Minutes were unanimously approved after a motion and second.

**3. Financial Report** (\$72,643.88 as of February 28, 2022) ..... Jim Meseck

Mr. Jim Meseck reported that the Section Councils account had a balance of \$72,643.88 as of February 28, 2022. The balance reflects the payment for the April meeting at Devil's Thumb Ranch & Spa.

**4. Chair's Report** ..... Melinda Pasquini

a. Title Standards Committee Appointment ..... Melinda Pasquini, Cyndi Stovall

Ms. Pasquini announced the appointment of Mr. Greg Perkins to the Title Standards Committee. Mr. Perkins has 21 years of professional legal experience practicing in real estate transactions, small business matters, homeowners associations, and land use matters. Mr. Perkins accepted his appointment and was welcomed to the Title Standards Committee.

b. April Meeting – Devil's Thumb Ranch (April 27-29, 2022) ..... Melinda Pasquini

i. Sign Up – Room and Activities (March 18, 2022)

Ms. Pasquini reminded everyone that next month's Section Council meeting will be held at Devil's Thumb Ranch with an option for remote online participation. Section Council members must RSVP by Friday March 18, 2022 if they want to reserve a room and an activity. Ms. Pasquini explained the process how extra reserved rooms will be allotted.

c. Symposium Update ..... Amy Brimah

i. Coupon

Ms. Amy Brimah reported that the 40<sup>th</sup> Annual Real Estate Symposium is on schedule with activities being planned, including a hike and fly fishing. Ms. Brimah explained that a coupon or discount would not be offered this year. There was agreement among the Section Council not to offer the coupon.

d. Electronic Recording Technology Board (ERTB)..... Chuck Calvin

Mr. Charles Calvin provided a flyer that was distributed with the agenda. Per the distributed information, Mr. Meseck reported on the work being done by the Electronic Recording Technology Board (ERTB) in Colorado. The ERTB awards grants to Colorado counties for projects that establish, maintain and improve or replace county electronic filing systems. The ERTB recently announced that it has officially approved for \$10,000,000 in grants to over 50 counties.

e. Change in Eviction Forms ..... Angie Schmitz

Ms. Angie Schmitz reported that eviction forms are still being drafted and the committee assigned with the task plans to meet soon.

f. Section Council Applications (March 18, 2022) ..... Jim Meseck

Mr. Meseck reminded everyone that the deadline to submit applications for the officer and member positions for the CBA Real Estate Section Council was this Friday, March 18, 2022. The Nominating Committee will review the applications and present a slate of candidates for consideration.

g. Happy Hour at FIRE at the Art

Ms. Brimah extended an invitation to all in-person attendees and those who were nearby to join her for a happy hour at FIRE at the Art, a hotel, at the conclusion of today's meeting.

**5. ACTION ITEMS:**

a. Replacement Council Member Vote..... Melinda Pasquini

Ms. Pasquini reported that newly appointed Council member Cindy Lowery-Graber resigned for personal reasons and that Ms. Lowery-Graber's resignation was accepted. Ms. Lowery-Graber's term was to run to June 30, 2023. Ms. Lowery-Graber submitted her written resignation to the Secretary. Mr. Meseck received the resignation. The resignation, per Section 4.4 of the Bylaws, was effective upon receipt by the Secretary. Ms. Pasquini expressed the Council's gratitude for Ms. Lowery-Graber's contributions and service during her time on the Council and wished Ms. Lowery-Graber the best of luck.

Per Section 4.4 of the Bylaws, "In the event of a vacancy created by operation of this Section 4.4 or any other circumstance, the remaining members of the Council shall elect, by majority vote at a meeting in accordance with Section 10.3, a member of the Real Estate Section to fill such vacancy and to serve for the unexpired term of the office or Council position vacated."

Ron Jung, a member in good standing of the Real Estate Section of the CBA, was nominated and seconded. Mr. Jung accepted the nomination. The members of the Council voted

and unanimously elected Mr. Jung to fill the vacancy created by the resignation of Ms. Lowery-Graber and to serve for the remainder of the unexpired term of Ms. Lowery-Graber. Mr. Jung will assume Ms. Lowery-Graber's committee assignments. Ms. Jung accepted the results of the election. Mr. Jung's term will run from March 15, 2021 to June 30, 2023.

- b. Rockies Outing Vote..... Adam Aldrich

A motion was made and seconded that the Section Council should host a Colorado Rockies outing at Coors Field for the members of the CBA Real Estate Section on June 14, 2022 for up to 50 people with Rockies tickets subsidized by Section funds with some food and non-alcoholic beverages provided. The motion unanimously passed.

**6. Legislative .....**Robin Nolan/Jim Meseck/Tyler Mounsey

- a. LPO Report .....Robin Nolan

Ms. Robin Nolan reported that she was actively monitoring legislation and that more assignments would be forthcoming to review recently introduced legislation. Ms. Nolan thanked everyone for their continued responsiveness.

- b. Legislative Report.....Tyler Mounsey

Mr. Tyler Mounsey provided a brief report. Ms. Mounsey reported that due to the introduction of the proposed budget and the legislature's focus on passing a budget most other legislation was placed aside for the immediate time being. Mr. Mounsey did report that HB22-1239 had died. Mr. Mounsey thought that other bills that the Section Council was monitoring were trending in the direction favored by the council but that everything could change quickly, especially as the session draws closer to a close. More Mounsey reported that unfortunately a sponsor for the Fairways at Buffalo Run legislation has yet to be procured.

**7. In the News**

- a. Marshall Fire.....Jeremy Syz, Cindy Lowery-Graber, Ron Jung

It was explained by the Community Service Committee, in particular Ms. Marjorie Sant and Mr. Steve Nagy, that an effort is being made to create a natural disaster real estate resource that could be used in the future to assist Coloradoans with disasters similar to the Marshall Fire. The CLE Luncheon Committee reported that the CLE series on the Marshall Fire is in progress with additional topics and speakers ready to present.

**REPORTS AND INFORMATIONAL ITEMS**

**8. CBA Trust and Estate Section .....**Chad Rounds

Mr. Rounds referred to his report.

**9. Colorado Housing Council .....**Deanne Stodden

Ms. Deanne Stodden reported that she and Mr. Meseck had attended the last CHC meeting. Ms. Stodden stated that there was a small number of attendees and with each attendee identifying bills of interest. Ms. Stodden said that it appeared the organization was just in the early process of organizing.

**10. CBA Title Standards.....**Catherine Hance, Geoff Anderson

Ms. Catherine Hance acknowledged the appointment of Mr. Greg Perkins.

**11. Forms Committee Liaison ..... Geoff Anderson**

Mr. Damian Cox reported that the Forms Committee was preparing to review the Seller's Property Disclosure form, among others.

**12. CAR Liaison ..... Damian Cox**

Mr. Cox reported that CAR is actively reviewing proposed legislation and is concerned about possible legislation relating to rent control.

**13. CBA Ethics Committee Liaison ..... Kate Strauss**

Members were referred to Ms. Strauss's report.

**14. CBA Young Lawyers Division ..... Diana Mendez, Dani Kaiser**

Members were referred to Ms. Kaiser's report.

**15. Membership and Practice Development ..... Adam Aldrich, Zak Kessler, Joan Fritsche**

Mr. Aldrich, on behalf of the Membership and Practice Development, expressed enthusiasm for the Rockies Outing that was approved earlier in the meeting.

**16. Interprofessional Committee ..... Angie Schmitz, Eric Snyder, Reagan Larkin**

Ms. Schmitz stated that the Interprofessional Committee had not yet met for that month.

**17. Education CLE Committee ..... Angie Schmitz, Marjorie Sant, Steve Nagy**

Ms. Schmitz announced plans for the Spring Update. Topics and speakers relating to the selected theme were briefly discussed.

**18. Education/Topical Lunches Committee ..... Jeremy Syz, Marjorie Sant, Cindy Lowery-Graber, Deanne Stodden**

Mr. Syz referred to the Committee's report that identifies future speakers and topics. Mr. Syz and the requested that topics and speakers of interest be identified as there was availability for upcoming months.

**19. Communications Committee ..... Zak Kessler, Jeremy Syz, Eric Snyder, Joan Fritsche**

Mr. Zak Kessler referred to the Committee's report. There was a general discussion on items for the next newsletter and the timing of the newsletter.

**20. Publications Committee ..... Adam Aldrich, Eric Snyder, Reagan Larkin**

Mr. Aldrich referred to the Committee's report. Mr. Aldrich announced that a real estate article would be published in the upcoming Colorado Lawyer. It is the goal of the Committee to submit for publication an article each month. However, the Committee has in instances rejected submitted articles in their discretion. Mr. Aldrich is interested in working with the speakers on the Marshall Fire luncheon CLE series to turn those presentations into articles.

**21. Community Service Committee... Cindy Lowery-Graber, Erin Clark, Marjorie Sant, Steve Nagy**

Ms. Sant and Mr. Nagy announced that a survey on community and public interest activities and volunteer organizations would be circulated. They asked that everyone be as responsive as possible to the survey.

#### **INACTIVE**

- 22. **Board of Governors** .....Katy Dunn
- 23. **Land Board Liaison** ..... Erin Clark
- 24. **CBA Tax Section Liaisons**.....Tyler Murray, Bobbie Collins
- 25. **CBA Cannabis Law Committee Liaison** ..... Eric Jaworski
- 26. **Diversity and Inclusion Liaison** ..... Eric Nesbitt
- 27. **Regional Membership Liaison** .....Doug Tueller
- 28. **Access to Justice Liaison** ..... Andy Toft
- 29. **Uniform Laws - Controllable Electronic Records** .....**Andy Toft**
- 30. **CBA Business Section Liaison** .....**Andy Toft**
- 31. **Multifamily and Affordable Housing Taskforce**.....Erin Clark, Jeremy Syz, Zak Kessler,  
Eric Snyder, Eric Nesbitt, and Jean Arnold
- 32. **Amendment to Revised Uniform Law on Notarial Acts Taskforce**..... Adam Aldrich  
Chuck Calvin, Andy Toft, Joey Lubinski, and Brianna Dowling
- 33. **CCIOA Taskforce** ..... Joey Lubinski, Amy Brimah, Suzanne Leff, Chuck Calvin, Joan Fritsche,  
and Ron Jung
- 34. **Landlord/Tenant and Foreclosure Taskforce** ..... Angie Schmitz, Cindy Lowery-Graber,  
Deanne Stodden, Zak Kessler, Reagan Larkin, and Andy Toft
- 35. **Oil and Gas, Water & Natural Resources Taskforce** . Amy Mowry, Marjorie Sant, Steve Nagy,  
and Robyn Kube
- 36. **Eminent Domain Taskforce** ..... Jody Alderman, Steve Nagy, and Ron Jung
- 37. **Removal of Race-Based Restrictive Covenants Taskforce** ..Eric Nesbitt, Brianna Dowling, and  
Erin Clark
- 38. **Special Districts Taskforce**.....Joan Fritsche, and Marjorie L. Sant
- 39. **Records Redaction Taskforce** .....Geoff Anderson, Steve Nagy, Dave Petrush

#### **NEW MATTERS**

None

**ADJOURN** 4:23 pm

**ATTENDANCE ROSTER**  
Real Estate Law Section Council  
**March 15, 2022**  
COLORADO BAR ASSOCIATION  
In-Person/Remote Meeting

NAME	PRESENT	EXCUSED	ABSENT
<b>Officers:</b>			
Melinda Pasquini – Chair	X		
Amy Brimah – Vice Chair	X		
James M. Meseck - Secretary	X		
Robin Nolan – Legislative Policy Officer	X		
Katy Dunn – Board of Governors Representative			X
<b>Members:</b>			
Adam Aldrich (2022)	X		
Erin Clark (2022)			X
Joan Fritsche (2024)	X		
Cindy Lowery-Graber (2023)		X	
Zak Kessler (2023)	X		
Reagan Larkin (2024)	X		
Steve Nagy (2024)	X		
Marjorie Sant (2023)	X		
Angela Schmitz (2022)	X		
Eric Snyder (2023)	X		
Deanne Stodden (2024)	X		
Jeremy Syz (2022)	X		
<b>Committees / Liaisons:</b>			
Jean Arnold - Immediate Past Chair RESC/Budget Comm.			X
Chuck Calvin – Fairways Taskforce Chair			X
Chad Rounds – Trusts and Estate Liaison	X		
Damian Cox –CAR Liaison	X		
Geoff Anderson – RE Title Standards/Forms Liaison	X		
Jody Alderman – Eminent Domain Committee Liaison			X
Joey Lubinski – CCIOA Task Force/ Past Chair RESC			X
Tyler Murray – Tax Section Liaison			
Bobbie Collins – Tax Section Liaison			
Danielle Kaiser – YLD Liaison		X	
Diana Mendez - YLD Liaison			X
Catherine Hance –RE Title Standard Committee	X		
Suzanne Leff – Past Chair RESC			X
Doug Tueller – Regional Liaison		X	
Andrew Toft – Access to Justice Liaison/Business Section		X	
Kate Strauss- Ethics Committee Liaison		X	
Eric Nesbitt- Diversity Liaison/Inclusion Taskforce Chair			X

Eric Jaworski – Cannabis Liaison			X
Brianna Dowling – Inclusion Task Force			X
Amy Mowry – Oil & Gas/Water/Nat'l Resources			X
<b>Staff &amp; Guests:</b>			
Jess Ham	X		
Amy Sreenen (CBA)		X	
Amy Larson (CBA)		X	
Bridgett Moore (CLE)	X		
Tyler Mounsey (CBA)	X		
Julie Waggoner, Past Chair RESC	X		
Dan Sweetser, Past Chair RESC		X	
Chris Payne, Past Chair RESC	X		
Kristin McKinley	X		
Justin Nyberg	X		
Matt Lingle	X		
Weldon Phillips Jr.	X		
Holly Ryan	X		
David Petrush	X		
Suzie McNaughtly	X		
Seth Holly	X		
Ron Jung	X		