

The 2025 Real Property, Probate and Trust Section Midyear Conference: Real Property Track



ORIGINAL PROGRAM DATE

May 30 – June 1, 2025

AVAILABLE MEDIA TYPES

Video & Audio MP3

*Presented in partnership with the
WSBA Real Property, Probate and Trust Section*

REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live seminar and webcast on May 30 – June 1, 2025, in Blaine, WA. If you attended the live webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three year reporting period.

DESCRIPTION

The 2025 RPPT Midyear presents informative sessions full of updates, information and strategies for your practice. This program features the real property track.

AGENDA**1 Real Property Updates**

A review of recent case law, legislation and regulatory actions affecting real estate transactions in Washington.

Scott B. Osborne – Foster Garvey PC, Seattle, WA

2 Probate and Trust Updates

This session will focus on the last year of important cases and legislation in the areas of estate planning, probate, and trusts.

Tiffany Gorton – KHBB Law PLLC, Seattle, WA

3 Racial Restrictive Covenants in Washington

The language of racial exclusion and segregation haunts the cities and suburbs of Washington State. Racist restrictions, although now void, remain in the property records of hundreds of neighborhoods, a toxic residue from the decades when segregation and exclusion were allowed, indeed promoted, by local governments and state authorities. This session explores the history of racial segregation as promoted through real property laws and government policies. It will also discuss the after-effects of such laws and policies, including an expanded gap in generational wealth transfers amongst different races and continuing de facto segregation in our communities. Presenters Ari Bleu Conboy and Emma Mantovani will speak about the Racial Restrictive Covenants Project through the Seattle Civil Rights & Labor History Project at the University of Washington.

Ari Bleu Conboy – University of Washington, Seattle, WA

Emma Mantovani – University of Washington, Seattle, WA

Anna M. Cashman – KHBB Law PLLC, Seattle, WA

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4 Valuation Expert Panel for Real Property and Probate Practitioners

A moderated panel featuring two of Puget Sound's preeminent valuation advisors discussing valuation methodologies applicable to estate planning, probate, real property transactions and litigation as well as the interaction between the appraisal of closely held businesses, and real property interests.

Hans Juhl – Ryan, Swanson & Cleveland, PLLC, Seattle, WA

Arik Van Zandt – Alvarez & Marsal Holdings, LLC, Seattle, WA

Anthony Gibbons – Gibbons & Riely, PLLC dba RE♦SOLVE, Bainbridge Island, WA

5 1031 Exchanges – Don't be Afraid to Trade

This overview of IRC Section 1031 exchanges discusses what qualifies, what does not, how to structure deals and some creative applications. The course will cover the basics such as timing, mechanics and fundamental rules. We will cover reverse and improved exchanges, drop and swap, seller financing, leases and 1031 in combination with other code sections.

Craig Gourley – Gourley Law Group, Snohomish, WA

6 Why Land Use Matters — Land Use Tips and Tricks for the Unwary in Real Estate Transactions

Understand current land use issues as they affect real property practitioners.

Jessica Clawson – McCullough Hill PLLC, Seattle, WA

7 Advice in Preparing for Disasters – Understanding the Impact of Casualty and Insurance Provisions in Leases

This session focuses on understanding casualty provisions in leases and the impact different casualty provisions would have following a disaster to the leased premises. We will also discuss insurance considerations based on the executed lease agreement and how alternative lease language might impact potential outcomes.

Jessica Cohen – Miller Nash LLP, Seattle, WA

Nicholas Larson – MPBF, Seattle, WA

8 Negotiating Real Estate Transactions with Governmental Agencies

This session examines the unique aspects of negotiating and documenting real estate contracts with governmental and quasi-governmental agencies. The session will address constitutional and other limitations on contracts, including funding limitations, indemnity restrictions and the gift of public funds doctrine. The presenters will also cover some of the most practical aspects of contracting with governmental agencies, including the statutory structure of the leasehold excise tax and the contracting authority of government officials and other personnel.

Brian Lewis – Ryan, Swanson & Cleveland PLLC, Seattle, WA

Andrew Zellers – Pacifica Law Group LLP, Seattle, WA

9 What's Going On With the Realtors®?

The real estate industry has both driven and absorbed enormous change in state law and practices in recent years. The primary catalysts for change, regulatory probes and sweeping class action lawsuits against the National Association of REALTORS, are mostly resolved but the repercussions reverberate. Consumers are feeling the impact with the simultaneous benefits and risks of a new requirement to independently contract for the costs and services of a buyer broker. We will examine the current and expected future landscape for brokers and consumers operating within the real estate industry.

Annette T. Fitzsimmons – Annette T. Fitzsimmons PS, Belfair, WA

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10 **Navigating the Final Frontier: The Incredible Benefits and Terrifying Risks of Using Artificial Intelligence in Your Practice**

This presentation will explore the transformative impact of artificial intelligence (AI) on legal practice, highlighting both its potential to revolutionize efficiency and decision-making, as well as the significant ethical and financial risks it poses. Attendees will gain a comprehensive understanding of how AI can be leveraged to enhance legal services while navigating the complex challenges associated with its adoption. The discussion will cover practical implications such as the integration of AI tools in daily legal tasks, improving accuracy and productivity, and the ethical considerations, including maintaining client confidentiality, ensuring unbiased decision-making, and addressing the potential for job displacement within the legal profession.

Devin McComb – Perkins Coie LLP, Seattle, WA

Stephanie Taylor – Randall Danskin PS, Spokane, WA