

**BAWB Regular Monthly Meeting Thursday October 18th 2012**

## **From The Subprime Mortgage Fallout to the new California Foreclosure, Bankruptcy, Eviction Legislation known as SB 900;**

# **The Times they are a Changing.**

**Speaker: Spencer Scheer, Attorney at Law, Scheer Law  
Group, LLP**

An Essential Overview of California Real Estate,  
Foreclosure and Bankruptcy Issues and Trends Facing  
Secured Creditors and Real Estate Investors.

If you are the Real Estate Business, private lending,  
have contemplated loans or have made loans, are a  
Debtor or Creditor this is an insightful meeting about  
some of the new compliance issues which have come  
into play. Avoid costly problems and litigation and  
learn from Attorney Spencer Scheer whose specialty  
area of practice is creditor representation.



**Here is just a sampling of what you will  
learn**

1. Subprime Fallout: What happened to cause one of the greatest real estate turnarounds in history? Have things changed forever?
2. Inflation or Deflation in Residential and Commercial Real Estate? Real Estate Trends. What should we expect?

3. Legal Trends. Should you buy or sell, rent or lease? You need to be aware of the full arsenal of rights available to borrowers and lenders to make intelligent real estate decisions:
  1. Income Property Issues. Preserving the rights to income is as important as the underlying collateral: Assignment of Rents, Receivers and impact of bankruptcy.
  2. Bankruptcy issues.
    - Bankruptcy can be a “win win” for both sides if used properly and a “graveyard” to creditors who don’t.
    - “Cram downs” and “lien strips”.
  3. Eviction (Lender-borrower and general Landlord- tenant issues).
    - Tenants after foreclosure have enhanced rights under state and federal law. Learn how to spot “phony leases” and avoid scams.
  4. Recent Legislation, including a general review of the California Homeowners Bill of Rights. –“The Mother of all Foreclosure Reform”. Many of the bills have passed. Residential foreclosures will never be the same, for now; But that’s not all!!

### **About Spencer Scheer:**

Mr. Scheer has received an AV (highest rating) from Martindale-Hubbell and received a designation as a Northern California “Super Lawyer” by the Thompson Reuters group. He is an effective and successful litigator and has handled over 200 jury and non-jury trials in State and Federal courts, focusing on creditor and real estate litigation matters. Mr. Scheer has a reputation as an attorney who provides superior client service and who gets things done. Mr. Scheer has a diverse legal background that allows him to represent and advise SLG lender, mortgage broker, business and investor clients on a wide variety of legal matters, including: consumer and commercial creditor bankruptcy litigation, real estate litigation, note and trust deed review and litigation, TILA rescission claims, commercial and consumer lease review, general contract review and litigation, landlord tenant litigation, title insurance litigation, real estate transaction and lender and broker liability matters.

Mr. Scheer has been a speaker on issues affecting lender/ servicer rights at numerous seminars, and conventions including: California Mortgage Bankers Association, United Trustee’s Association, California Credit Union Collectors Council, Marin County Bar Association-Real Property Section, and the Northern California Consumer Bankruptcy Conference.

Mr. Scheer is also a lecturer and speaker for the California State Bar Association and was a panelist at California State Bar Association Annual Real Property Law Section Retreat, Napa, CA, (Subprime Mortgage Fallout- Lender Perspective (2010)); a webinar presenter for the State of California

Bar Association, Real Property Section, on Real Property Foreclosure: Recent Legislation and & Case Developments (2011); and was a panelist for the State Bar of California at its Annual convention in Long Beach, CA (2011), Real Estate Foreclosure, How to Get it Right.

Mr. Scheer is licensed attorney in the State of California and is a member of the State of California Real Property Law Section, Marin County Bar Association Real Property Law Section, United Trustee's Association (fka California Trustees Association), and the California Credit Union Collectors Counsel.