

**Executive Committee, Real Property Section**  
**Meeting Minutes – Monday, August 17, 2009**

In attendance: Michael Balent, Brad Begelman, Judy Berkman, Alfred Fuscaldo, Cheryl Gaston, Michael Goss, Christine Paul (via telephone), Ralph Pinkus, Steven Rothberg, Paul Schmidt, Dean Weisgold and Walter Zimolong. Joseph Sullivan and Ethan Fogel attended as guests.

Vice-Chair Alfred Fuscaldo called the meeting to order.

Landlord Tenant Appellate Mediation Program. Joe Sullivan and Ethan Fogel explained the program. Joe began by explaining the background of the program. Most of the tenants involved in residential Landlord-Tenant Appeals are unrepresented and approximately forty (40%) percent of the landlords are also unrepresented. Currently, there is a four and a half month backlog of appeals to the Common Pleas Court. This program will institute a mandatory mediation session before the CCP trial. On September 21<sup>st</sup> there will be a training program to prepare mediators. Half the training program will deal with mediation and half with tenant issues. Ethan Fogel explained that the program is designed for non-litigators practicing at least four (4) years and would start at toward the end of October. Attendees will receive 2.5 substantive and 1 ethic CLE credits. Judy Berkman raised a concern that some of the litigants might have protection from abuse orders and there needs to be a system to address any issues wherein various parties are apt to be in contact with each other. Cheryl Gaston also raised concerns about the interaction between this program and the Fair Housing Commission. Miriam Jacobson will put this information on our website.

The minutes for the last meeting were approved.

Treasurer's Report. Judy Berkman asked whether there were sufficient funds for the Section to donate money to the various legal service organizations to which it has historically donated. Cheryl advised that she did not think there were sufficient funds to make these donations given the remaining obligations of the Section for the luncheon. Chris advised that she would like to revisit the issue in December and perhaps issue small donations to keep the tradition alive.

September CLE. Cheryl and Al Fuscaldo discussed their upcoming CLE to be held on September 11, 2009 and advised that it would be basic, informative and interesting.

Annual Luncheon. Al announced that we are awaiting word whether Bill Dunkelberg will be available to be the speaker. The Good Deed Award recipient will be Joe Synchron of the Schuylkill River Development Corporation. Mike Balent raised a concern that we should budget the donations to the Bar Association historically made in the names of the honorees.

Zoning Commission Update. Ralph Pinkus advised us that there have been two meetings since our last executive committee meeting. The focus of both meetings was picking a consultant to draft the new code.

Foreclosure Diversion Program Update. Mike Balent reported that the program continues to do well and there has not been an immediate call for additional volunteers.

Eminent Domain and Appraisals Committee. Marjorie Stern-Jacobs will attend our next meeting to discuss the status and progress of the Eminent Domain Case Management Task Force.

Legislative Update. Cheryl reported that Judy Berkman and she attended a meeting with the Tax Section concerning Bills revising the Bureau of Revision of Taxes. There is another upcoming meeting scheduled.

Act 135 Task Force. Judy Berkman advised us that work is progressing. There have been meetings with Domenic Rossi of the Court of Common Pleas and they are working on a handbook. There will be a CLE on the subject at the Real Estate Institute in December.

LEED Related Bills. Paul Schmidt advised that there has not been significant progress on these Bills. Ralph Pinkus advises that it was reported to the Zoning Commission in either May or June there was a Bill with sustainability issues that was passed in Council. Paul Schmidt was going to see if he could determine what Bill they were referring to. In addition, Paul agreed to contact the tax, business and environmental sections to coordinate a resolution on the LEED bills. Chris will follow up with Sayde Ladon as to whether/how we can utilize the PBA lobbyists in this issue.

All congratulated Wally Zimolong on his move to his new firm, Sigman & Rochlin, LLC.

Next meeting will be held September 14, 2009 at 12:00 noon.

The meeting was adjourned.