



The Real Estate Lawyers Association of North Carolina (RELANC):

What It Has Accomplished. Why You Need To Join.

By Kimberly Rosenberg, President and Title Counsel

The purpose of this newsletter article is to introduce the Real Estate Lawyers Association of North Carolina ("RELANC") to those of you who have not heard of this organization, to inform you of RELANC's accomplishments and to try to persuade you to join RELANC if you have not already done so. In the spirit of full disclosure, I am a board member of RELANC and believe it to be a very worthwhile organization.

RELANC was formed in August of 2010, and since its inception has been a strong presence at the state legislature and in various committees and organizations. The membership of RELANC *"is comprised of attorneys from all over the state of North Carolina who share a common vision focused on defending, developing and defining ethical and viable real estate business practices."* RELANC is an organization that can get things done without the constraints and limitations that other organizations experience. If there is a bill that RELANC feels is important to support, or oppose, or an initiative it wants to tackle, the members and committees within RELANC are always ready to get involved.

Some of RELANC's biggest accomplishments, as noted below, have been at the legislature. RELANC has become one of the "go-to" trade organizations for real estate related issues, with policymakers routinely seeking RELANC's input. Through its lobbyist, Jim Harrell, RELANC has a continual presence at the legislature when it is in session. This has proven to be invaluable. Jim is able to call upon RELANC's legislative committee and quickly weigh in on measures as they arise. RELANC frequently collaborates with the Real Property Section (RPS), the North Carolina Land Title Association (NCLTA) and the North Carolina Mortgage Bankers Association. The addition of RELANC at the legislature in the past seven years, as another voice on real estate related issues, has been instrumental in getting positive legislation passed more easily.

In addition to RELANC's work at the legislature, RELANC has been influential in other ways which help consumers and real estate professionals. RELANC was one of the founding members of the North Carolina Best Practices Task Force, where a member of RELANC continues to serve as a co-chair. The Task Force was instrumental in disseminating information to North Carolina real estate attorneys, paralegals and realtors on Best Practices and TRID. The Task Force held several webinars, some of which exceeded 900 participants. RELANC, at considerable expense, paid for the technology to make the webinars possible. With the uncertainty about the future of Dodd-Frank and the emerging issue of

eclosings, the Task Force will continue to be an important vehicle for educating members on the latest issues impacting the profession and the closing process in general.

Recently, RELANC served as a liaison between a lender and several attorneys who had been removed from the lender's approved-attorney list. The attorneys reached out to RELANC, who contacted the lender and advocated its position that the consumer should have a choice in regards to legal representation. By reaching out to the lender and opening a channel of communication, RELANC was able to either get those attorneys back on the lender's approved-attorney list to perform the scheduled closings for their clients, or, in one case, to clarify the path for an attorney to handle the next closing with the lender.

Currently, RELANC has an informal referral service. Often times, current members contact the RELANC office and ask for a RELANC member when they need help in an area of the state in which they are not familiar. RELANC wants to formalize this process and maintain a list of current members and their contact information so that it is readily available from the RELANC website or could easily be disseminated to realtors and lenders.

The list of accomplishments RELANC has achieved in its first seven years is impressive. The list includes:

1. The addition of a private cause of action for UPL violations into the General Statutes. (see NCGA 84-10.1)
2. An amendment to the Good Funds Settlement Act requiring non-attorney settlement agents with interest-bearing trust accounts to remit any interest earned on such accounts to IOLTA, similar to what attorneys must do.
3. The addition of language into the Legal Zoom bill to ensure online companies are not allowed to prepare deeds or certify titles to real property.
4. The creation of a set of Standards of Practice to ensure an ethical and compliant closing.
5. Co-founded and continue to co-chair (along with the RPS and the NCLTA) the North Carolina Best Practices Task Force.
6. Provided the financial assistance for TRID and Best Practices webinars. The webinars provided important education and information to attorneys, paralegals and lenders.
7. Provided lobbying resources and assistance in legislation to enable more uniform and predictable recording fees for deeds of trust.
8. Continual legislative support and monitoring of issues impacting real property.
9. Participation in the Land Records Task Force, where one focus is eclosings.
10. Continued Legal Education Seminars and Legislative Forums with elected officials at our Annual Meeting.
11. Continue to help attorneys get reinstated on lender approved-attorney lists.

As you can see, RELANC has accomplished a lot in a short amount of time. All of these accomplishments took a lot of work and effort by RELANC members to come to fruition. Members have spent hours researching issues, reviewing legislation and attending meetings with stakeholders and policymakers. In some instances, there were huge obstacles to overcome.

The RELANC membership needs to grow in order for the organization to continue to be successful and to be ready for the next important real property related issue that arises. Our lobbying efforts have been successful in protecting consumers and ensuring a compliant closing environment, but these efforts are not accomplished without a financial commitment on RELANC's part. As with any such organization, the finances to cover the costs and expenses of the intended work come from membership dues. Currently, the membership is around 310 members. We need to double or triple that number.

The membership fee is \$200 per year. Additional attorneys in the same firm or company can join for a discounted rate of \$100. RELANC has worked hard to keep fees low to encourage membership. If you believe the above accomplishments have been beneficial to you or your clients, I urge you to join RELANC today. In these busy times, it is comforting to know that there is an organization out there advocating for you and your clients.