



Landlord and Tenant Law in Delaware

William P. Brady

Woloshin, Lynch, Natalie & Gagne, P.A.

Susan E. Flood

Legal Services Corporation of Delaware, Inc.

Deborah J. Galonsky, Esq.

Doroshow, Pasquale, Krawitz & Bhaya

“J” Jackson Shrum

Archer & Greiner, P.C.

This seminar is designed for attorneys, property managers, presidents, vice presidents, general managers, landlords, accountants, controllers, housing coordinators, real estate agents and brokers, business owners and other real estate professionals.

WILMINGTON, DE
NOVEMBER 27, 2007

CONTINUING EDUCATION CREDIT

DE CLE 6.7/Ethics 1.0

IACET 0.65

CPE 8.0

DE RE (Pending)

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Critical Issues on the Agenda

DoubleTree Hotel Wilmington Downtown ▪ 700 King Street
302-655-0400
Wilmington, DE ▪ November 27, 2007

8:00 AM – 8:30 AM

Registration

8:30 AM – 10:10 AM

Residential Landlord's Perspective

— William P. Brady

- Pre-Lease Considerations
 - Tenant Credit and Background Check
 - Inspections
 - Registration of Rental Unit With Local Municipalities
 - Recordkeeping
 - Prepossession Repairs and Assurances
- Lease Agreements
 - Written vs. Oral
 - Term of and Contents of Lease
 - Summary of Landlord and Tenant Code
- Security Deposits
 - Purpose
 - Amount
 - Location
 - Pet Deposits
- Landlord's Obligations to Tenant
 - Maintenance of Rental Unit
 - Quiet Enjoyment
- Default by Tenant and Notice by Landlord
 - Nonpayment of Rent
 - Breach of Lease
 - Criminal Conviction
 - Other Reasons to Terminate Lease or Evict
 - Common Defects in Landlord Notices
- Summary Proceedings for Possession
 - Exclusive Jurisdiction Within Justice of the Peace Court
 - Time for Filing Action
 - Contents of Complaint
 - Trial
 - Anticipating Potential Defenses by Tenant
 - Appeals De Novo to Three Judge Panel
- Regaining Possession of Rental Unit
 - Writ of Possession
 - Stay of Execution
- Post-Possession Considerations
 - Storage of Tenant's Property
 - Security Deposit
 - Excess Damages or Rent Obligation by Tenant

10:10 AM – 10:20 AM

Break

10:20 AM – 12:00 PM

What to Expect When a Tenant Files Bankruptcy

— "J" Jackson Shrum

- What Is an Executory Contract?
- Assumption, Assignment and Rejection of Executory Contracts
- What Is BAPCA?
- Who Benefited More From BAPCA – Landlords or Tenants?

12:00 PM – 1:00 PM

Lunch (On Your Own)

1:00 PM – 2:40 PM

Evictions – The Residential Tenant's Perspective

— Susan E. Flood

- The Five-Day Letter
- Violations of Rules and Regulations
- The Summary Possession Complaint and Defenses
- Considerations Under the Manufactured Home Owners and Community Owners Act

2:40 PM – 2:50 PM

Break

2:50 PM – 4:30 PM

Tenant's Perspective

— Deborah J. Galonsky, Esq.

- Tenant's Rights, Defenses, and Obligations to Landlord and to Residents
- Tenant's Remedies
- Unlawful Ouster
- Ethical Considerations

*Lorman Education Services reserves the right to modify
the agenda and the faculty when circumstances are beyond our control.*

Registration

Landlord and Tenant Law Wilmington, DE • November 27, 2007



Internet: www.lorman.com



E-mail: customerservice@lorman.com



Mail: Detach or photocopy this panel and mail with payment information to:

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Our Distinguished Faculty

William P. Brady is an attorney with Woloshin, Lynch, Natalie & Gagne, P.A., in Wilmington, Delaware, where his areas of practice include residential and commercial landlord/tenant law, real estate settlements, representation of homeowners' and condominium associations, and other real property matters. He is a member of the Delaware State Bar Association, where he is an active participant within the Real and Personal Property Section, and currently serves as the chair of the Small Firms and Sole Practitioners Section. He is also a frequent lecturer at real estate related seminars and serves on a committee formed by the Delaware Justice of the Peace Court that has planned and presented a series of outreach programs for self-represented litigants in landlord/tenant matters within that court system. Mr. Brady earned his B.S. degree from Goldey-Beacom College and his J.D. degree from Widener University School of Law. He is admitted to practice in Delaware, Pennsylvania and New Jersey.

Susan E. Flood has been at Legal Services Corporation of Delaware, Inc., since 1998, where she handles a variety of consumer, bankruptcy, and landlord and tenant issues for indigent clients. Ms. Flood graduated from the Delaware Law School of Widener University and became a member of the Delaware bar in 1987. She clerked for the Family Court of Delaware from 1987 to 1988; worked at the firm of Herlihy, Harker, & Kavanaugh from 1988 to 1990; and worked at UAW Legal Services from 1990 to 1996 in a variety of areas of law, including landlord and tenant.

Deborah J. Galonsky, Esq., is an attorney with the law firm of Doroshow, Pasquale, Krawitz & Bhaya in Wilmington, Delaware. She practices in the areas of real estate, domestic and wills. Ms. Galonsky received her undergraduate degree from the University of South Florida and her J.D. degree from Widener University School of Law. Ms. Galonsky is a member of the Delaware

and New Jersey bars, Business Networking International and Women Business Network. She has spoken at numerous MS Society events on wills, power of attorneys and health care directives. Ms. Galonsky has participated in landlord and tenant seminars, and she volunteers as a guardian ad litem through the Office of the Child Advocate.

Attendee comment from another Lorman seminar:

"I took this seminar last year and still found it very useful to come again this year."

— Matt Johnston

"J" Jackson Shrum is an attorney with Archer & Greiner, P.C., in Wilmington, Delaware. In his bankruptcy practice, he has represented debtors, creditors, creditors' committees, secured parties, Chapter 11 and Chapter 7 trustees and liquidation agents, lenders, executives, plaintiffs and defendants in avoidance, fraudulent-transfer and similar actions, including equipment, real and personal-property lessors and lessees. Mr. Shrum is also experienced in commercial litigation, including representing and/or advising corporate and individual clients on a variety of issues related to commercial law, shareholder derivative actions, real estate, collections, immigration, employment law, estate planning, mortgage and tax foreclosure, construction and lien law. He earned a B.A. degree in psychology, with high distinction, from the University of Nebraska-Lincoln and a J.D. degree from Rutgers School of Law-Camden, where he was an articles editor for the *Rutgers Law Journal*.

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The Benefits for You

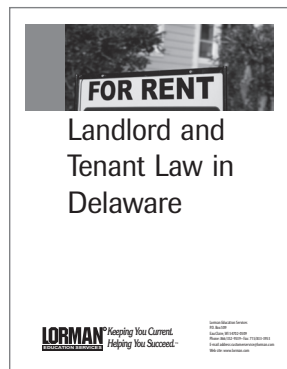
By attending this seminar, you will receive helpful strategies on pre-lease considerations and lease agreements. The seminar is designed to help landlords and tenants understand their respective rights and obligations when a tenant files for bankruptcy protection. You and your company will also stay current on issues surrounding evictions and tenant rights.

Learning Objectives:

- The attendee will be able to identify the landlord's obligations to tenants.
- The attendee will be able to recognize what to expect when a tenant files bankruptcy.
- The attendee will be able to discuss considerations under the Manufactured Home Owners and Community Owners Act.

Professional Manual:

You will receive a professionally prepared manual compiled by the faculty specifically for this seminar. The seminar will be recorded. Your registration constitutes your consent to such recording. If you cannot attend, you may order a set of the CDs and the accompanying manual from this program by using the registration form on the inside panel.



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Final approval of a course for CPE credit belongs with each state's regulatory board.

This program has been approved by the Delaware Commission on Continuing Legal Education for 6.7 hours of CLE credit, including 1.0 hour of enhanced ethics credit.

This program has been submitted to the Delaware Real Estate Commission for continuing education hours. Approval pending.



WILMINGTON, DE NOVEMBER 27, 2007

In One Day, You'll Learn:

- The ins and outs of registration of rental unit with local municipalities – and why it's important
- Ethical considerations in landlord and tenant law
- What to expect when a tenant files bankruptcy
- Who benefits more from BAPCA – landlords or tenants?
- Considerations under the Manufactured Home Owners and Community Owners Act



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