



*December 2011*

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*A quick note to keep you current regarding events in our office, law and issues...*

A NOTE FROM SHANNON:

With the holidays approaching, we anticipate claims against real estate agents decreasing. Thankfully, parties do not generally sue over the holidays.

One area where we are seeing a slight increase in litigation is with regard to wrongful foreclosures. While these actions generally are asserted against lenders, if agents are not cautious, they can be included in these suits, as well. Agents are cautioned to follow the lenders' instructions if personal property is left at a home after a foreclosure sale and in working with removing borrowers from the property after the foreclosure. If borrowers are confused about whether the agent is employed by the lender, the agent could be included in a lawsuit.

ANNOUNCEMENTS:

November 25, 2011 through December 16, 2011, our office will be accepting donations to benefit the Bay Area Crisis Nursery, a local charity that assists families in need, such as homelessness, domestic abuse, violence against children and rescuing children in distressed circumstances. Donations can include children's clothing, new and unwrapped toys, books, games and toiletries.

Thank you to all of our clients and friends for contributing food to the Bay Area Crisis Nursery in November.

We are pleased to welcome Tiffany Fong to our office. Tiffany is a recent graduate of the law school at the University of California, Davis. She can be reached at (925) 837-2317 x304.

LEGAL UPDATES – Our website was recently updated to include the following:

- An article regarding a court's dismissal of a lawsuit filed by an investor against Countrywide for alleged fraudulent concealment.
- An article where a California appellate court denied a petition to compel arbitration after hearing oral testimony regarding an ambiguity in the clause.

- An article where a California appellate court holds that lenders who recorded deeds of trust at the same time have equal priority.
- An article where a court allowed new purchasers to sue developers for failure to disclose lending practices.
- An article regarding a new foreclosure law (SB4).

*A complete discussion of these matters can be found on our website, [www.calrealestatelaw.com](http://www.calrealestatelaw.com), under Legal Updates.*

#### HOLIDAYS –

The offices will be closed for the Christmas and New Year Holiday from December 26, 2011 through January 1, 2012. Shannon B. Jones will be out of the office from December 23, 2011 through January 13, 2012. In her absence, please contact the main number at (925) 837-2317.