

Robert J. Sheppard  
Jaime C. Uziel  
Jerod Hendrickson  
Julian T. Lastowski  
Stephen J. Sherman  
Lawrence R. Sussman, Sr. Of Counsel  
Jeffrey S. Rosen (1958 - 2009)

# Sheppard • Uziel Law Firm

423 WASHINGTON STREET • SUITE 200  
SAN FRANCISCO • CA • 94111  
PHONE 415 • 296 • 0900 FAX 415 • 296 • 0999  
website: [sheppardlaw.com](http://sheppardlaw.com)

Trials & Litigation  
Dispute Resolution/Mediations  
Real Estate Law/Land Use  
Landlord-Tenant/Rent Control  
Premises Liability Law  
Personal Injury/Tort Law  
Insurance Law and Coverage  
Business/Contract Law  
Estate Planning, Wills, Trusts

## Our 2018 Achievements

- Recovered \$4.85 Million in an Intra-Family lawsuit disputing real estate ownership claims/interests
- Won a multi-million dollar Judgment in a co-owner Quiet Title Binding Arbitration - - Marin County property
- Won a Federal Court Trial obtaining Asylum on Humanitarian Grounds for a teenage girl from Honduras
- Successfully litigated/resolved dozens of Unlawful Detainer (eviction) lawsuits - for Tenants and Landlords
- Recovered dozens of rental units for Landlords, kept possession of homes/commercial units for Tenants
- Resolved/settled numerous multi-million dollar lawsuits between Tenants and Landlords
- Settled a deck collapse lawsuit based on a tenant falling through an old deck - over \$1.5 Million
- Resolved lawsuits/disputes between neighbors over easements, encroachments, nuisances, code violations
- Settled/resolved dozens of lawsuits procuring insurance coverage for property owner clients who were sued
- Obtained a Dismissal of a City Attorney lawsuit against a small Property Owner
- Successfully arbitrated multiple Rent Board Petitions seeking to raise rent to market rates on rent-controlled properties based on lack of principal residence occupancy of units
- Facilitated sale of dozens of houses/condos - - Private Sale Transactions (FSBO's) for Sellers/Buyers

### *Highly Successful Mediation Services*

Over 95% of Lawsuits/Disputes Settled



*30-Year Mediator Bob Sheppard  
resolved over 100 lawsuits/disputes in 2018*

### *Expert Witness Services*



Jaime Uziel and Bob Sheppard were both engaged as  
**Expert Witnesses in multiple lawsuits in 2018**

Bob Sheppard testified as an Expert Witness at Trial before a San Francisco Jury in May 2018; Jury voted 12-0 endorsing his opinions

*Property Owner Liability, Standard of Care for Property Owners,  
Standard of Care for Lawyers, Real Estate Transactions*

***Voted "Super Lawyer of Northern California"  
For Thirteen Consecutive Years in Real Estate Law and Mediations***

 **AV-Rated Law Firm - - Professional Peer Review (Martindale-Hubbell)** 

# New Laws for 2019 Affecting Real Estate

*Courtesy of Sheppard • Uziel Law Firm (415) 296-0900 [www.sheppardlaw.com](http://www.sheppardlaw.com)*

**New Response Time to Eviction Lawsuits / 3 Day Notices:** Effective September 1, 2019, when counting the 3 day period for notices to pay rent or quit, or the 3 day period for notices to perform covenant or quit, or the 5 day deadline to respond to an Unlawful Detainer (eviction) lawsuit, exclude weekends and holidays.

**Landlord Required to Accept Rent from Third Parties:** Landlords must allow a tenant to pay rent through a third party providing the third party signs an acknowledgment that he/she is not currently a tenant of the premises and that acceptance of the rent payment does not create a new tenancy with the third party.

**Inspection of Decks, Balconies, Stairways, and Walkways:** Decks, balconies, stairways, and walkways (in buildings with 3 or more dwelling units) must be inspected by a properly licensed professional by 2025; subsequent inspections are required every 6 years; and the owner must perform any necessary repairs.

**Commercial Property Abandonment:** A commercial landlord may serve, by overnight courier, a Notice of Belief of Abandonment after the rent is unpaid for three days (or more, depending on the lease).

**Commercial Property - Disposal of Tenant's Personal Property:** This new law increases the threshold calculation (to determine whether a public sale of a tenant's personal property is required) of the estimated value of items left behind after a commercial tenant vacates to the greater of \$2,500 or one month's rent.

**Electric Vehicle Charging Stations:** This new law eliminates the rent control exemption to the requirement that a landlord permit (subject to the landlord's procedural approval process) installation of an Electric Vehicle Charging Station (EVCS) at a parking space allotted for the tenant.

**Law Enforcement and Emergency Assistance:** This new law expands protections for victims of domestic violence, and other types of abuse, against eviction, fines, or penalties for contacting law enforcement or seeking 9-1-1 emergency assistance to respond to incidents of domestic violence or abuse.

**Price Gouging and Eviction During a Declared Emergency:** This new law retains the 10% maximum rent increase during declared state of emergencies (such as major fires), and makes it illegal to evict a tenant during a declared state of emergency or any extension (except for specific just causes), and bars a landlord from offering to rent to another person at a higher price.

**HOAs: Financial Review on a Monthly Basis and Anti-Fraud Precautions:** This new law requires HOA Boards to review on a monthly basis the Association's accounts and reserves; requires maintenance of fidelity bond coverage for directors, officers, and employees equal to three months' reserves; and requires a manager to obtain written Board approval before transferring Association funds of \$10,000 or more.

**New Real Estate Agency Terminology:** Real estate agency terminology will be simplified: (1) The "Listing Agent" will be called "Seller's Agent," and (2) the "Selling Agent" will be called "Buyer's Agent."

# Sheppard • Uziel Law Firm

423 WASHINGTON STREET • SUITE 200  
SAN FRANCISCO • CA 94111  
PHONE 415 • 296 • 0900 FAX 415 • 296 • 0999  
Website: [sheppardlaw.com](http://sheppardlaw.com)

Real Estate Law Transactions Trials & Litigation Dispute Resolution/Mediations

## For-Sale-By-Owner (“FSBO”) Transaction Work



*(Jaime Uziel, Partner)*

### (When Buyer and Seller Have Already Found Each Other)

In a low-cost, high quality way, Sheppard • Uziel can do all the work for sellers and buyers of real estate (houses, condominiums, apartment buildings, tenancy-in-common interests, etc.). We do the real estate agent/broker/legal work for these For-Sale-By-Owner (“FSBO”) transactions, saving our clients thousands of dollars in seller commissions (e.g, 5% to 6%).

Sheppard • Uziel has carved a niche as a law firm performing the necessary work to streamline a FSBO transaction through the close of escrow.

Attorneys Jaime Uziel and Larry Sussman spearhead the FSBO work for sellers and buyers of real estate. Jaime is a licensed California Real Estate Broker, has been licensed in real estate since 1990, and is the former Chair of the San Francisco Association of Realtors® Standard Forms Committee. Larry has more than 33 years experience in practicing real estate law, and formerly was a licensed California Real Estate Broker.

Mr. Uziel’s and Mr. Sussman’s decades of experience as Real Estate Brokers and seasoned Real Estate lawyers help facilitate smooth escrow closings.

FSBO transactions usually take between 8 - 12 attorney hours, depending on the individual transaction and whether or not complications arise.\* The fees expended can save many thousands of dollars in real estate commissions - - see chart on reverse side.

\* \* \* \* \*

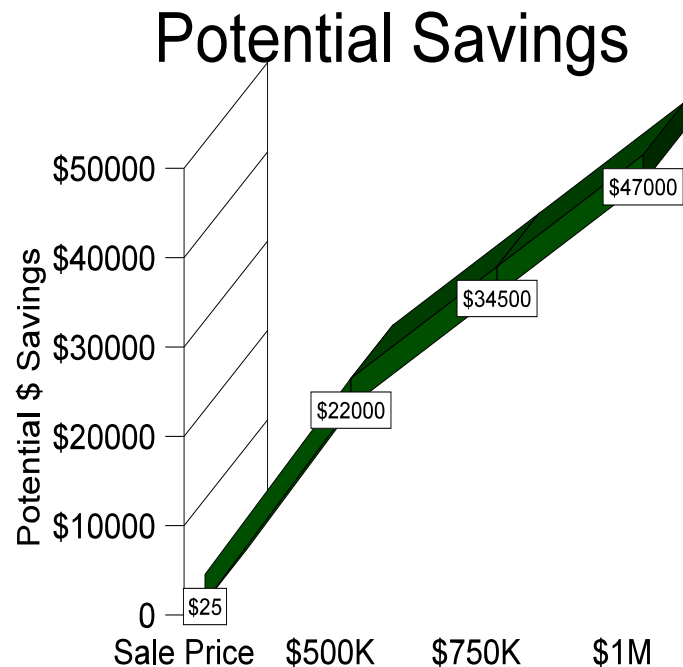
*Please call Attorney Jaime Uziel (ext. 38) or Attorney Larry Sussman (ext. 25) at 415-296-0900 for additional information. Please also feel free to visit our law firm’s website ([www.sheppardlaw.com](http://www.sheppardlaw.com)) so you can learn more about us. Our law firm does not conduct public marketing of properties or searches for properties. You should hire a real estate broker if you want to market your property for sale or if you are looking for property to purchase.*

*(See other side for more info.)*

## Our FSBO (For-Sale-By-Owner) Work in a Nutshell:

- \* We provide a service to both buyers and sellers of real property in the San Francisco Bay Area (and occasionally, beyond), whereby we facilitate purchase and sale transactions through negotiations (if necessary), contract formation, document drafting, disclosure completion/execution/review, tenant notifications, etc.
- \* We work in conjunction with local, reputable escrow companies which hold deposit funds and deal with escrow-related matters.
- \* The FSBO transactions we handle typically result from situations where the buyer and seller have reached a verbal agreement on “deal points” and need qualified, competent professionals to handle the details (i.e., to draft transaction documents, prepare legally-required disclosure documents, work with escrow companies, review all documents with clients, etc.). That’s where we step into the picture.

- \* When we are retained, we are retained by one side of the transaction - either buyer or seller - to avoid a conflict of interest. We can refer the other party to competent legal counsel (at reasonable rates), upon request.



- \* Consider: Assume a property’s purchase price is \$1,000,000. A 5% commission rate would amount to \$50,000. A seller would likely pay Sheppard • Uziel between \$3,000 to \$6,000\* to handle the transaction (depending on the circumstances of the particular transaction), thereby potentially saving the seller up to \$47,000 on a \$1,000,000 transaction.
- \* We do not charge a flat fee; rather, we ask for a reasonable up-front retainer and we bill against that retainer. Any funds left over are returned to the client. If our fees exceed the retainer (e.g., due to unforeseen circumstances), then we ask for a “refresher retainer” or bill for the excess, depending on the situation.
- \* We are also skilled in conflict-resolution and have, on many occasions, succeeded in getting deposit monies released to our purchaser-clients when they have decided not to proceed with the transaction due to a failed condition. We are also experienced litigators, and we are ready to battle for our clients in court or arbitration, if necessary.

\* There are no guarantees, of course, and a transaction may cost more to complete, depending on the circumstances and whether any complications arise.

# *Get Your Dispute Settled & Closed!*

## **Robert (Bob) Sheppard** ***~30 Year Mediator~***

*“I am proud to have settled/resolved  
over 95% of all cases I’ve mediated.”*



423 Washington Street, Suite 200, San Francisco, CA 94111

Phone 415 • 296 • 0900 Website/e-mail: [www.sheppardlaw.com](http://www.sheppardlaw.com)

### *Cost-Saving Mediation/Arbitration Services*

*All types of Commercial and Civil Disputes, litigation and pre-litigation cases*

✧ **Tenacious & Dynamic Mediator**

✧ **Mediator with People Skills**

✧ **Known for Techniques to “Break the Impasse” and “Close the Deal”**



---

\* Bob Sheppard is recognized by other lawyers as a “**Northern California Super Lawyer**” in the field of Mediations/ADR. (Nominated by Blue Ribbon Panel; Ballots sent to over 50,000 lawyers)

\* Bob Sheppard served as **President** of **The Mediation Society** in 2012 and 2013 and served on the Board of Directors of **The Mediation Society** from 2007 to 2014

Robert J. Sheppard  
Jaime C. Uziel  
Jerod Hendrickson  
Julian T. Lastowski  
Stephen J. Sherman  
Lawrence R. Sussman, Sr. Of Counsel  
Jeffrey S. Rosen (1958 - 2009)

# Sheppard • Uziel Law Firm

423 WASHINGTON STREET • SUITE 200  
SAN FRANCISCO • CA 94111  
PHONE 415 • 296 • 0900 FAX 415 • 296 • 0999  
website: sheppardlaw.com

Trials & Litigation  
Dispute Resolution/Mediations  
Real Estate Law/Land Use  
Landlord-Tenant/Rent Control  
Premises Liability Law  
Personal Injury/Tort Law  
Insurance Law and Coverage  
Business/Contract Law  
Estate Planning, Wills, Trusts

We handle all types of  
**LITIGATION MATTERS**  
(Real Estate, Landlord-Tenant, Business, Tort, Etc. )

and

## **TRANSACTIONAL MATTERS:**

- ▶ Real Estate Purchase/Sale, and For-Sale-By Owner (“FSBO”) Transactions
- ▶ Tenancy Buy-Outs
- ▶ Real Property Co-Owner Buy-Outs (in lieu of Partition litigation)
- ▶ Draft/Negotiate:



Commercial Leases  
Residential Leases  
Parking, Storage, and Pet Agreements  
Lease Extensions/Renewals  
Leases w/Options to Purchase  
Tenancy-In-Common (“TIC”) Agreements  
Owner-Contractor/Architect/Engineer Contracts  
Business Sales/Lease Assignments  
Easements/Licenses  
Landlord-Tenant Legal Notices, Eviction Notices,  
Ellis Act Eviction Notices, etc.

- ▶ Negotiate Homeowners Association (“HOA”) Disputes and Modifications/Amendments to HOA Governing Documents
- ▶ Condominium Conversions
- ▶ Private Loans (Notes/Deeds of Trust)
- ▶ Foreclosures and Related Negotiations
- ▶ “Hybrid Cases”: Owner Move-In Eviction (“OMI”) → FSBO; OMI → TIC; Litigation → Purchase; Condo Conversion → Tenant Purchases Property; Family Inheritance → Beneficiary Purchases Property; etc.
- ▶ Trusts, Estates, Probate Matters, Nomination of Guardians, etc.