



1993 - 2008

SAFE HARBOR TITLE

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January 2008

Vol. 2 Issue 3

CLIENT NEWSLETTER PROGRAM a success



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Safe Harbor Title recently unveiled its newest program in support of its valued clients. The Client Newsletter Program is designed to provide clients with a marketing tool that will generate greater exposure and promote all that is wonderful about their respective law firms to their existing client base.

Safe Harbor Title is working in partnership with clients to provide an informative newsletter publication designed to provide legal insight and informative tips for their clients. Many Safe

Harbor clients have considered the possibilities and positive impact that the newsletter program will provide their firm. Your existing client base is the foundation of your practice. ***"If you build it, they will come."***

We have received rave reviews from clients who are presently taking advantage of the program's benefits. Grow your practice...with a little help from your friends at Safe Harbor Title. For more information contact John Meyer at the office or e-mail him at jcmeyer@safeharbor-title.com.

Opportunity is knocking . . .

SAFE HARBOR TITLE WALKS



Safe Harbor Title staff and friends walked in support of a cure for cystic fibrosis. Christina's Crew led by Christina Santaniello, who is afflicted with CF, enjoyed the day's festivities filled with friendship and hope. This year's walk is scheduled for Sunday, May 18, 2008. Please join us for a great day of fun and purpose.



John C. Meyer, President
Lori Colletti, Vice President
Gina Lundy, Vice President

Integrity • commitment • reliability



Happy St. Patrick's Day!



From the Desk of John C. Meyer:

Dear Friends:

Happy New Year! I hope everyone enjoyed the special gift that the holidays bring each year, a time filled with peace, joy and the love of family and friends. We welcome 2008 eager to embrace each new day as it unfolds.

2007 was a tough year for many of us, challenged by the demands of a changing marketplace and an unknown economic future. We moved cautiously through the year. Along personal lines, many of our friends lost cherished loved ones. I lost my mother in May, indeed, a life changing event. I thank you all for your kind showing of support and friendship when I needed it most.

As we proudly celebrate our 15th Anniversary in 2008, I am excited with the challenges that lie ahead for Safe Harbor Title and the industry at large. As the marketplace evolves so must we.

We are grateful for your support. Continuing to earn your trust and confidence is our driving force. Thank you for allowing Safe Harbor Title to be of service, without your support we would *all be working for someone else*. You have made a difference in my life, I am grateful.

May 2008 bring you peace, prosperity and good health.

John C. Meyer

SUMMER CELEBRATION

On Saturday evening September 8, 2007, over two hundred and fifty friends joined together at the Meyer homestead to celebrate the 10th annual Safe Harbor Title summer party. The jazz gods smiled upon us once again by blessing us with a beautiful star lit sky that set the tone for a very special celebration of life. The Shenole Latimer Quartet kept everyone engaged throughout the evening with some of the areas best jazz. Man those guys were smokin'!

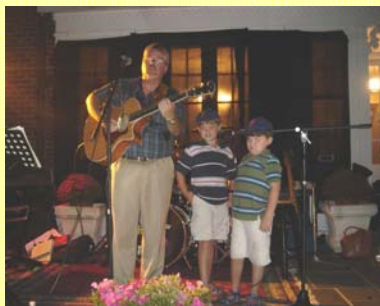


The evenings' hosts, The Meyer family, John, Jessica, Sean and Kyle, welcomed their guests and treated the crowd to the first public appearance of the "Meyer Men" who rocked the crowd into a frenzy with "Brian Wilson" and "Keep on Smiling." They were then joined onstage by The Ladies of Safe Harbor who crooned to "Dead Skunk" and "American Pie" for the proverbial icing on the cake. What does Led Zepelin have over us?

We would like to thank everyone who was able to enjoy the festivities first hand. We hope to see everyone again this summer for our 15th Anniversary Bash. The party's theme is one of life's little mysteries, stay tuned. Let's have some fun!

Thanks for the memories!

Order your next title on the web
www.safeharbor-title.com





E.Y.I.

NEW LEGISLATION FOR RESIDENTIAL MORTGAGE FORECLOSURES

Chapter 458 of the Laws of 2007, signed into Law on August 1 and effective “immediately,” adds new Section 1320 (“Special summons requirement in private residence cases”) to the State’s Real Property Actions and Proceedings Law. This Section requires that the summons in an action to foreclose a mortgage on residential property containing not more than three units contain the following notice, in bold-face:

NOTICE

YOU ARE IN DANGER OF LOSING YOUR HOME

If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the mortgage company who filed this foreclosure proceeding against you and filing the answer with the court, a default judgment may be entered and you can lose your home.

Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property.

Sending a payment to your mortgage company will not stop this foreclosure action.

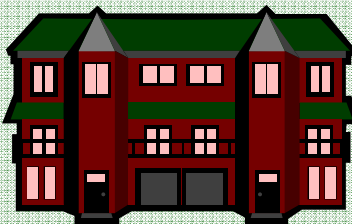
YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT.

Chapter 458 also amended Subsection (g)(3)(iii) of Civil Practice Law and Rules Section 3215 (“Default judgments”) to extend to “residential mortgage foreclosure actions” the requirements that a copy of the summons be again mailed to the defendant at least twenty days before the entry of a default judgment when the defendant is a natural person who has defaulted in the Action.

According to the Introducer’s Memorandum of Support for Senate Bill 4210, now Chapter 458, “This is one of a series of measure being introduced at the request of the Chief Administrative Judge on the recommendation of his Advisory Committee on Civil Practice.”

CONDOMINIUMS

Lisenekov v. Kaszirek (827 N.Y.S. 2d 5790), an Action to recover the down payment under a contract of sale for the purchase of a condominium unit in Manhattan, the Plaintiff alleged that she was not required to complete the purchase when the title company would not insure title to the unit, since the condominium’s Board of Managers would not waive the Unit or provide other documents common charges in advance. The court ordered that the down payment be returned since the Plaintiff, not being obligated to pay common charges in advance, had not breached the contract of sale, and the Seller was not able to deliver an “insurable title” under the contract. This ruling has been affirmed by the Appellate Division, First Department in a decision dated June 21, 2007, reported at 2007 WL 1775379.





F.Y.I.

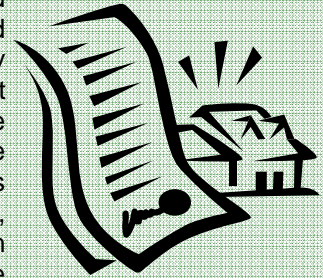
FORECLOSURES/SURPLUS MONEY

Motions were before the Supreme Court, Bronx County, to alternatively confirm or reject the Referee's report on the disposition of surplus monies from a sale of real property in a tax lien foreclosure. The Referee determined that since the property, acquired by the record owner prior to his marriage, was to be conveyed by him to his spouse pursuant to a 1999 divorce decree, the former spouse's Estate should be awarded the entire surplus, notwithstanding that the transfer did not occur. The Court affirmed the finding, holding that the divorce decree, turned into an Order and Judgment, transferred to the owner's spouse an equitable interest in the property which is a vested interest entitling her Estate to claim surplus monies. However, the Court rejected the claim that a judgment creditor of the record owner had a right to surplus monies, since the 1993 money judgment was rendered in Kings County and docketed solely in Queens County, not in Bronx County where the property is located. NYCTL 19980-1 Trust v. Gabbay, decided June 5, 2007, is reported at WL 1696016.



CONTRACTS OF SALE

Under a contract of sale, property in Kings County was to be conveyed subject to zoning and subdivision laws and regulations, provided that they did not render title unmarketable and were not violated by the existing buildings and improvements on the property and their use. After the contract was executed but before the scheduled closing date the property was down-zoned. As a result of the change in zoning, the Plaintiff-Buyer sought return of his down payment, and the Defendants-Sellers sought an award of liquidated damages for breach of the contract. The Supreme Court, Kings County, granted the Defendants' motion for summary judgment and awarded them liquidated damages pursuant to the contract's terms. The contract was not conditioned on the zoning remaining unchanged and the Plaintiff, a licensed real estate broker and developer, could have inquired as to pending zoning changes before entering into the contract. Defendants had no information that was unavailable to the general public. *Dunn v. Arniotes*, decided May 29, 2007, is reported at 2007 WL 1615120.



HOME INSPECTORS

The Claimant in a small claims action alleged that the Defendant's inspection of the home she was purchasing did not reveal a defective heating system, which the Claimant replaced after the closing for \$3,400. She was unable to sue the Seller under the Property Condition Disclosure since the Seller is an Estate and a disclosure a fiduciary in the course of the administration of the Civil Court, Richmond County, held that a limiting the inspector's liability for "errors, mis-amount of the fee paid is enforceable and, since tices under General Business Law Section 349 the Claimant was entitled to recover the \$395 terminated that there is no private right of action ("Home Inspection Professional Licensing"), Secretary of State. *Carney v. Coull Building In-* ported at 2007 WL 2119740.



sure Act, Real Property Law, Article 14, statement is not required on the "transfer by a decedent's estate." Justice Straniere of provision in the home inspection contract takes, omissions... [or] negligence" to the the inspector had committed deceptive prac- ("Deceptive acts and practices unlawful"), paid for the inspection. The Court also de- under Real Property Law, Article 12-B which is enforceable only by New York's spections, Inc., decided June 8, 2007, is re-

SAFE HARBOR TITLE PROUDLY PRESENTS

A Night at the Theater, April 12, 2008

Save the Date!

Coming April 12, 2008, Safe Harbor Title invites you to check into Neil Simon's *Plaza Suite*, for one of his brightest and biggest hits. The laughter never stops as three couples successively occupy the suite during an important moment in their lives. The first couple finds out they are in the suite they honeymooned in 23 (or 24?) years ago on the day of their anniversary . . . or was it yesterday?

A thrice-divorced Hollywood producer attempts to get a little diversion from an old high school sweetheart.

Finally, a mother and father argue over the best way to extract their daughter from the bathroom on her wedding day. *Plaza Suite* is an evening of sheer entertainment from one of America's most prolific writers.

Please mark your calendar and join the fun at Theater Three in Port Jefferson (www.theaterthree.com) for another exciting evening of theater.

Invitations forthcoming.



Save the Date! SATURDAY EVENING,
SEPTEMBER 6, 2008
HELP SAFE HARBOR
TITLE CELEBRATE OUR
15th ANNIVERSARY

I Found it on the Internet . . .

- Every time you lick a stamp, you consume 1/10 of a calorie.
- The average person's left hand does 56% of the typing.
- Mark Twain's *Tom Sawyer* was the first novel written on a typewriter.
- "Stewardesses" is the longest word typed only with the left hand.
- 315 entries in Webster's 1996 dictionary were misspelled.
- 55.1% of all prisoners are in prison for drug offenses.
- People photocopying their buttocks are the cause of 23% of all photocopier faults worldwide.
- More than 50% of the people in the world have never made or received a telephone call.
- Banging your head against a wall uses 150 calories an hour.



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EMPLOYEE PROFILE ELEANOR AIKEN

Every organization has employees that work behind the scenes. People you never see but you know they must be there. Safe Harbor Title has such an individual, her name is Ellie Aiken. Ellie is so far behind the scenes that she is in Riverhead roaming the halls of the Suffolk County Clerk's Office in search of a deed or abstract for a loyal Safe Harbor Title client who needs to have it yesterday.



there for almost 50 years. She has been working for Safe Harbor Title as our staff title examiner since 1994, making her the second longest standing employee, behind only Lori Colletti.

Ellie has an infectious smile and the most endearing laugh, she is a pleasure to be around. She is indeed one very special lady; just ask her children, grandchildren and great grandchildren.

Safe Harbor Title celebrates Ellie's significant contribution to

the greater good and success of the company. She epitomizes the adage "Service with a Smile." We are most fortunate to have had the pleasure of working with Ellie these past 13 years. Here's to 13 more.

This hardworking, God fearing woman is "our Ellie", a sweeter lady you will not find. Ellie, who was raised on the Shinnecock Reservation in Southampton, literally grew up in the County Clerk's Office, working



HOLIDAY OPEN HOUSE



Safe Harbor Title celebrated the season with our annual Holiday Open House on Thursday evening, December 18, 2007. Many friends braved the snow and ice to share the warm holiday spirit. Let it snow, let it snow, let it snow!



Got Disc?

The Safe Harbor Title CLE Credits Program is a continued success. We encourage clients to avail themselves of the opportunity to earn Free CLE Credits in the comfort of their own home or office with the use of CD-Rom technology. If you would like to take part in the program, please let us know and we will forward a disc to you faster than you can say motherboard!

