



Riker Danzig Releases Episode 3 of Title Nerds, the Title Insurance Podcast

Publication:

Banking & Title Insurance Client Alert September 29, 2021

On September 28, 2021 Riker Danzig released [Episode 3](#) of "Title Nerds," the Firm's title insurance podcast. Title Nerds hosts [Michael R. O'Donnell](#) and [Bethany A. Abele](#) welcome special guest [Michael Ham](#), the "Coolest Guy in Title Insurance," to the podcast, along with fellow Riker Danzig attorney [Desiree McDonald](#). In the first segment, the Title Nerds hosts interview Mike Ham, who is a commercial real estate title insurance sales executive with Fidelity National Title Group and hosts a wildly popular podcast, "The Morning Spotlight Podcast," in which he brings on interesting guests in real estate and other industries. Mike talks about how he started in the title insurance industry, what sparked his podcast, how he helps his clients, and what it takes to be a successful title insurance salesperson.

Then, Riker title team associate Desiree McDonald discusses the case of [U & Me Homes, LLC v. Cty. of Suffolk](#) out of New York State (148 N.Y.S.3d 682 (N.Y. Sup. Ct. July 16, 2021)) in which the Court held that a purported restrictive covenant on the property was void and granted the property owner's motion for summary judgment. In the case, the plaintiff had purchased an undeveloped parcel of land in Southampton that was split-zoned, with both portions permitting residential development. When the plaintiff decided he wanted to build a single-family home on the property, he learned of a developmental restriction that would make his property of zero value. The deed and title search report, however, had not contained any reference to any development restrictions, and indeed, the property had been transferred numerous times previously with no reference to a restriction. The action was brought alleging that the covenant failed to run with the land and that the restriction was against public policy. The Court, very displeased with the County and Town, found no intent for the restriction to run with the land, and said the County and Town had overstepped their bounds and had reversed the role of government. The Town and County then went after the title companies for coverage, and the Court decided that if money was ever to be paid,

it should be by the government, not by the insurance companies, something not seen very often in Court's opinions.

Riker Danzig's [Title Insurance Group](#) also produces a "Banking, Title Insurance and Real Estate Litigation Blog," available [here](#).

Title Nerds [Episode 2](#) was released on July 29, 2021 and included a discussion on coverage investigations in the context of title insurance as well as the 11th Circuit's In re Lindsey case (2021 WL 140661 11th Cir.). [Episode 1](#) was released on May 14, 2021 and covered the Fifth Circuit's Hall v. Old Republic case, "Daniel's Law," the Planned Real Estate Development Full Disclosure Act /Homeowner's Association Fees Corrective Bill as well as a bill encouraging the Timely Recording of Residential Deeds.

Attorneys:

Michael R. O'Donnell · Bethany A. Abele · ☒Desiree McDonald

Practices:

Title Insurance · Financial Services