



MARK D. EPSTEIN

Attorney

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Oakland, California

Mark has more than 24 years of experience in real estate, business, lending and title insurance coverage litigation. He has a solid track record of successful client representations in resolving disputes that entail real property, title insurance, escrow, commercial landlord-tenant, mortgage lending, easement, boundary line, encroachment and lien priority claims. Mark represents property owners, developers, fractional interest investors, title insurers, banks, and other financial institutions, as well as real estate professionals. He also negotiates and drafts loan documents, leases and purchase and sale agreements.

Mark has been an adjunct professor at the University of California, Berkeley School of Law where he co-taught a course on real estate transactions and litigation during the fall 2015 and 2016 semesters.

EDUCATION

- J.D., University of San Francisco School of Law
- B.A., University of California, Davis

AREAS OF PRACTICE

- Litigation
- Real Estate
- Real Estate Litigation
- Title Insurance

AWARDS AND HONORS

- AV® Preeminent™ Peer Review Rated (the highest rating available), by Martindale-Hubbell

ARTICLES AND PRESENTATIONS

- Speaker, "Recovering Possession of Abandoned Leased Premises," Oakland / Berkeley Association of Realtors, December 9, 2019
- Speaker, "The Responsible Salesperson: Guidelines to Reduce Your Liability Risks," Colliers International, May 30, 2019

- Author, "Filling the Holes in a "Swiss Cheese Parcel" Correcting Flawed Metes & Bounds Description," *California Land Title Association Claims Awareness Committee*, March 8, 2018
- Author, "The Swiss Cheese Property Conundrum: Correcting CA's Flawed Metes and Bounds Descriptions," *Western Real Estate Business*, October 2017
- Speaker, "The Devilish Details: Keeping an Eye Out for Mortgage Lien Irregularities That You May Not Have Bargained For," Wendel Rosen Client Seminar, February 13, 2017
- Speaker, "Title to Real Property – Strange But True Examples of What Can Go Wrong With Title, and How to Fix Them" Wendel Rosen Client Seminar, December 12, 2017
- Speaker, "Unraveling Real Estate Co-Owner Disputes," Oakland Association of Realtors, December 14, 2015
- Speaker, "Easy In, Not Always So Easy Out," Wendel Rosen Client Seminar, November 10, 2015
- Co-Speaker, "Law 257 – Real Estate Transactions & Litigation," U.C. Berkeley School of Law, Fall Semester 2015
- Speaker, "This Land is ... Whose Land?" Wendel Rosen Client Seminar, April 14, 2015
- Speaker, "Default Remedies: Traps for the Unwary ... Weapons for the Wise," Wendel Rosen Client Seminar, June 10, 2014
- Speaker, "Understanding Title Insurance: What it Typically Covers and Excludes, and What Additional Coverage May Be Available," Wendel Rosen Speaker Series, March 11, 2014
- Author, "New Law Regarding Short Sales Goes Into Immediate Effect: No Deficiency Judgments," *Wendel Rosen Client Update*, July 2011
- Author, "Reclaiming Lien Priority: The Doctrine of Equitable Subrogation Explained," *Wendel Rosen Client Update*, June 2013
- Speaker, "Insured Closing Letters: What Attorneys Need to Know," tele-presentation, National Business Institute, May 2011
- Presenter, "Opportunity Knocks: Investing in Residential Income Property," April 2011
- Author, "Ensure That You've Insured The Right Property," *California Land Title Association (CLTA) Claims Awareness Hot Sheet*, October, 2010
- Author, "New Case Holds That Title Company Has No Liability When It Gratuitously Provides Erroneous Title Information," *California Land Title Association (CLTA) Claims Awareness Hot Sheet*, September, 2010
- Presenter, "Important Provisions to Include in Real Estate Related Loan Documents," National Business Institute, May 2010
- Presenter, "Borrower vs. Lender: Negotiating the Workout Agreement," National Business Institute, May 2010
- Co-Author, "RESPA Update: Enforcement Delay a Call to Action," *Wendel Rosen Client Update*, December 16, 2009
- Panelist, "Real Property Foreclosure: A Step-by-Step Workshop," National Business Institute, November 2009
- Panelist, "In-Depth Title Insurance Principles," National Business Institute, December 2007

- Panelist, “Meeting the Challenges of California Real Estate Titles and Title Insurance,” National Business Institute, February 2005
- Author, “Escrow 101: Follow the Instructions,” *California Land Title Association (CLTA) Claims Awareness Hot Sheet*, February, 2005
- Panelist, “California Real Estate Law: Problems and Solutions,” National Business Institute, May 2004

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, California Land Title Association
- Member, S.F. Bay Area Chapter, NAIOP – Commercial Real Estate Development Association
- Member, Bench Bar Liaison Committee, Federal Courts
- Member, Legal Affairs Forum, California Association of REALTORS®
- Member, Tort and Insurance Claim Sections, American Bar Association
- Member, Alameda County Bar Association
- Member, Oakland Rotary, No. 3

ADMISSIONS

- California
- U.S. District Court, All Districts
- U.S. Court of Appeals, Ninth Circuit