

Shelby D. Green

Pace Law School

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EDUCATION

1980 J.D., Georgetown University Law Center, Washington, D.C.
1976 B.S., Towson State University, Baltimore, Md.

EMPLOYMENT

1991 to present *Associate Professor of Law*, Pace Law School,
White Plains, N.Y. (tenured in 1994)

1987-1991 *Associate Professor of Law*, Nova Southeastern
School of Law, Fort Lauderdale, Fl.

1984-1987 *Sole Practice*, Washington, D.C.
Practice areas included corporate, consumer, communications
matters

1980-1984 *Associate Attorney*, Nixon, Hargrave, Devans & Doyle, (now
Nixon, Peabody) Rochester, N.Y.
Practice areas included corporate, tax, labor, and
communications matters and litigation

PROFESSIONAL ACTIVITIES, MEMBERSHIPS, AWARDS

Membership Committee, American Bar Association, Real Property Trust and
Estate Law Section 2013 to present; Chair of Subcommittee on State and
Local Bar Outreach. 2014 to present.

Best Overall Article in Probate & Property, American Bar Association, Real
Property Trust and Estate Law Section. 2014.

Co-organizer, Professors' Corner Series, Legal Education Group, American Bar
Association, Real Property Trust and Estate Law Section 2013 to present.

Board of Directors, Jay Heritage Center, Rye, N.Y. 2013 to present.

Best Cutting Edge Article in Probate & Property, American Bar Association, Real
Property Trust and Estate Law Section, 2012.

Board of Directors, Legal Services of the Hudson Valley (formerly Westchester-
Putnam Legal Services), White Plains, N.Y. 1994-2010.

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Board of Directors, Kent Memorial Library, Kent, CT 2007-2008.
New York State Bar Association, Pro Bono Service Award. 1995.
Board of Directors, Legal Services of Greater Miami, Fl. 1988-1991.
Board of Directors, Appalachian Mountain Club, Boston, Ma. 1998-2000.
Numerous pro bono matters in state and federal courts. 1992 to present.

LAW COURSES TAUGHT

property, advanced real property, copyright, real estate transactions and finance, legal history, historic preservation, corporations

PUBLICATIONS

Editor and contributing author, “*Keeping Current—Property*,” Probate & Property, a bi-monthly magazine, published by the Real Property, Trust and Estate Law Section of the American Bar Association.

Paradoxes, Parallels and Fictions: The Case for Landlord Tort Liability Under the Revised Uniform Residential Landlord-Tenant Act (forthcoming Hamline L. Rev. 2014).

A Tale of Two Privity’s: Conflict Among the Circuits on the Role of Contract Privity and Privity of Estate in the FDIC’s Assignment of Failed Bank Leases (forthcoming, Real Prop. Trust & Estate L. J. 2014).

Contesting Disclaimer of Reliance Clauses by Efficiency, Free Will and Conscience: Staving Off Caveat Emptor (forthcoming, Texas A&M L. Rev. 2014).

No Entry to the Public Lands: Towards a Theory of a Public Trust Servitude for a Way Over Abutting Private Land, 14 Wyo. L. Rev. 19 (2014).

MERS Remains Afloat in a Sea of Foreclosures, 27 Prob. & Prop. 18 (July/Aug. 2013)(with JoAnn Sandifer).

Imaging a Right to Housing, Lying in the Interstices, 19 Geo. J. Poverty L. & Pol’y 393 (2012).

Tightening of Standards by Federal Housing Finance Agencies Impacts Housing Availability and Affordability for Condominium Purchasers, a LexisNexis, Emerging Issues Analysis (2011).

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Re-appraising the Appraisers: Expanding Liability to Buyers and Borrowers In the Story of the 2008 Financing Industry Crisis, 25 Prob. & Prop. 10 (Nov/Dec 2011).

Understanding CERCLA Through Webster's New World Dictionary and State Common Law: Forestalling the Federalization of Property Law, 44 New Eng. L. Rev. 835 (2010).

The Improvident Real Estate Deal: the Attorney's Duty to Warn, 39 Real Estate L.J. 147 (2010)(with Temisan Agbeyegbe).

Disquiet on the Home Front: Disturbing Crises in the Nation's Markets and Institutions, 30 Pace L. Rev. 7 (2009).

Forward: Real Property, Mortgages, and the Economy: A Call for Ethics and Reforms, 30 Pace L. Rev. 1 (2009).

Zoning In and Out Churches: Limits on Municipal Zoning Powers by the Religious Land Use and Institutionalized Persons Act," 37 Real Estate L. J. 163 (2008).

Practitioners Need Broader Expertise: Real Estate Law is Undergoing Profound Changes, N.Y.L.J. (June 18, 2008)(with John Nolon).

To Disclose or Not to Disclose? That is the Question for the Corporate Fiduciary Who is Also a Pension Plan Fiduciary: Resolving the Conflict of Duty, 9 U. Penn. J. Labor and Employment L. 831 (2007).

Development Agreements: Bargained-For Zoning That is Neither Illegal Contract Nor Conditional Zoning, 33 Capital U. L. Rev. 383 (2004).

Specific Relief for Ancient Deprivations of Property, 36 Akron L. Rev. 245 (2003).

The Search for a National Land Use Policy: For the Cities' Sake, 26 Fordham Urb. L.J. 69 (1998).

The Public Housing Tenancy: Variations on the Common Law that Give Security of Tenure and Control, 43 Catholic U. L. Rev. 681 (1994).

Reclaiming the Public Domain by Repeal of the Mining Law of 1872, 6 Hofstra Prop. L. J. 85 (1993).

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Reasonable Expectations Define Board Power to Liquidate a Solvent Close Corporation in Bankruptcy, 41 Drake L. Rev. 421 (1992).

Defending the Time Culture: The Public and Private Interests of Media Corporations, 43 Fed. Comm. L. J. 391 (1991).

Corporate Philanthropy and the Business Benefit: The Need for Clarity, 20 Gonzaga U. L. Rev. 239 (1990).

The Illusion of Fairness Through Special Committees in Management Buyouts, 18 Western State Univ. L. Rev. 161 (1990).

SPEAKING ENGAGEMENTS

Moderator, Micro Housing, Webinar, ABA Real Property Trust and Estate Law Section, Legal Education Group, 2014.

Panelist, *Historic Preservation Responds to Housing Shortages in Legacy Cities: Synergies for Savings and Success*, Conference on Historic Preservation in America's Legacy Cities, 2014.

Panelist, *Due Diligence and Disclosure in Mortgage Loan Originations under Dodd-Frank*, CLE, Pace Law School, 2014.

Panelist, *Conflict and Resolution Within Common Interest Communities*, Webinar, ABA Real Property Trust and Estate Law Section, Legal Education Group, 2013.

Panelist, *Development Agreements: Validity and Enforceability*, Development Agreements Between Municipalities and Private Parties, CLE Webinar, Stafford Publications, 2013.

Panelist, *Law Professors' Roundup*, ABA Real Property Trust and Estate Law Section, Legal Education Group, Spring Symposium, 2012.

Panelist, *MERS: Its Standing and Future, Old and New Challenges*, E-CLE Webinar, ABA Real Property Trust and Estate Law Section, 2012.

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Panelist, *Italian Cowboy Partners and Disclaimer of Reliance Clauses*, Professors' Corner, ABA Real Property Trust and Estate Law Section, 2012.

Panelist, *Development Agreements: Validity and Enforceability*, Development Agreements Between Municipalities and Private Parties, CLE Webinar, Stafford Publications, 2011.

Panelist, Association of Law, Property and Society, on the Right to Housing, Washington, D.C., 2010.

Presenter, Judicial Summer Institute, *New York Adverse Possession Law*, 2011.

Presenter, Judicial Summer Institute, *The Foreclosure Crisis*, 2009.

Moderator, American Bar Association, Foreclosure Workshop, Pace Law School. 2008.

Symposium, Welcome Address and Moderator, Symposium, *Real Property Mortgages and the Economy*, Pace Law School, 2009.

Presenter, Property, Citizenship, & Social Entrepreneurism Workshop, presenting on my article, *Specific Relief for Ancient Deprivations of Property*, 2004.

Occasional talks at student and faculty-sponsored colloquia, including on the case of the Amistad and the restoration of land to Native Americans.

Selected Law School and University Service

Director, LL.M. Program in Real Estate Law, Pace Law School. 2008-2011.

Fellows Selection Panel, Pace Community Law Practice, 2012 to 2014.

Organizer, Legal Case Study Project. 2011.

Coordinator, Mortgage Foreclosure Intervention Program. 2010.

Mentor, Federal Judicial Honors Program. 2008 to present.

President's Reappointment Committee 2010.

Academic Review Commission 2003.