

## John L. Hosack

Los Angeles, California  
Shareholder

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### Areas of Practice & Industry Specialties

Mortgage Lending; Litigation; Insurance Law; Mortgage Banking; Title Insurance & Escrow; Alternative Lenders; Financial Services  
Regulatory



John L. Hosack is a Shareholder in the Firm's Los Angeles office and Co-Chair of Buchalter's Title Insurance & Escrow Industry Group. He represents secured lenders and property owners at trial and on appeal in complex real property disputes, including lender liability, fraud, class actions, breaches of contract, wrongful foreclosures, mechanic's liens, stop notices, judicial foreclosures, receiverships, escrow claims and title insurance claims. His transactional practice includes commercial real property loan documentation, loan workouts, REO sales and foreclosures.

Mr. Hosack, who is AV Preeminent rated by *Martindale Hubbell*, has been selected as one of *Southern California's Super Lawyers* from 2006 to 2022 and was also selected as a *Southern California Super Lawyer, Corporate Counsel Edition* from 2009 to 2022. He has also been selected by *Who's Who Legal USA* from 2002 to 2022 as "one of the USA's leading practitioners" in the field of real estate.

On September 24, 2016, the American College of Mortgage Attorneys awarded Mr. Hosack a plaque to recognize his twenty years of leadership of the College's Program Committee. In recognition of his decades of contributions to continuing legal education, the California Continuing Education of the Bar awarded Mr. Hosack the Spirit of CEB Award. He has been a lecturer and a speaker for numerous organizations including the American Bar Association, State Bar of California, California Continuing Education of the Bar, University of California, Boalt Hall School of Law, Pasadena Bar Association, Beverly Hills Bar Association and the California Mortgage Association.

### Representative Matters

- *R.E. Loans v. Investors Warranty of America* (2013) 212 Cal. App. 4th 1432 (counsel for Investors Warranty of America , et. al)
- *First American Title Insurance Company v. David Ordin et. al* (2011) 2011 Cal. App. Unpub. Lexis 6946 (counsel for David Ordin, et. al)
- *Paveco Construction, Inc. v. East West Bank* (2011) 2011 Cal. App. Unpub. Lexis 3344 (counsel for East West Bank)
- *Jerve M. Jones et al. v. Union Bank of California* (2005) 127 Cal.App.4th 542 (counsel for Union Bank of California, N.A.)
- *Jerve M. Jones, et al. v. First American Title Insurance Company, et al.* (2003) 107 Cal.App.4th 381 (counsel for Union Bank of California, N.A.)
- *William Little v. Community Bank* (1991) 234 Ca1.App.3d 355 (counsel for Community Bank)

### Publications

- California Title Insurance Practice (Calif. Cont. Ed. Bar. First Ed.),
- OCC and FDIC "Valid When Made" Rule Reaffirmed: Interest Rate Limitations, or Lack Thereof, on

Loans Made By National and State Banks and Federal Savings Associations Remain When the Loan Is Sold or Assigned, *JSUPRA*, February 15, 2022

- Buchalter COVID-19 Client Alert: Supreme Court Holds That in Applying COVID-Related Stays of Eviction Proceedings, Landlords Must Be Given the Opportunity to Challenge a Tenant's Claim of COVID-Related Hardship, *Buchalter Client Alert*, August 13, 2021
- CFPB Extends Compliance Deadline for New Qualified Mortgage Definition to October 1, 2022, *Buchalter Client Alert*, April 28, 2021
- Buchalter COVID-19 Client Alert: Federal Court Declares CDC Eviction Moratorium is Unconstitutional, But Does Not Enjoin the Order, *Buchalter Client Alert*, February 26, 2021
- Buchalter COVID-19 Client Alert: FHFA Extends Freddie Mac and Fannie Mae Single-Family Eviction and Foreclosure Moratoria, and Extends GSE Forbearance and Deferral Lengths; List of Current Periods for GSEs, Federal Agencies and States of California, Washington, Oregon and Arizona, *Buchalter Client Alert*, February 26, 2021
- Revising the New General QM Final Rule and Seasoned QM Final Rule: CFPB Expected to Postpone the Mandatory Compliance Date for the New General QM Final Rule and New Seasoned QM Final Rule and Temporarily Keep the GSE QM Loan Definition in Place, and Will Consider Revising the Seasoned QM Rule and Other Portions of the New QM Final Rule, *Buchalter Client Alert*, February 25, 2021
- Buchalter COVID-19 Client Alert: FHFA Announces Extension of Time Periods for GSEs' Foreclosure and Eviction Moratoria; List of Current Time Periods for GSEs, Federal Agencies and West Coast States Foreclosures and Evictions, and Forbearance Applications, *Buchalter Client Alert*, February 11, 2021
- CFPB Acting Director Considering Delay in New Qualified Mortgage Rule, *Buchalter Client Alert*, February 5, 2021
- Coming in 2021: CFPB Finalizes Changes to "Qualified Mortgage" Definition and Creates a New "Seasoned QM" Loan Category, *Buchalter Client Alert*, December 17, 2020
- Federal Banking Regulatory Agencies Issue Notice of Proposed Rulemaking Re: the Role of Supervisory Guidance, *Buchalter Client Alert*, October 30, 2020
- OCC Issues Final Rule Defining "True Lender" – A Bank is the "Lender" if it is Named the Lender in the Loan Documents or if it Funds the Loan, *Buchalter Client Alert*, October 28, 2020
- Buchalter COVID-19 Client Alert: CFPB Issues Rule Extending the "GSE Patch", *Buchalter Client Alert*, October 20, 2020
- Newly Enacted California Consumer Financial Protection Law (AB 1864) Reorganizes and Renames Financial Institutions Regulator for Expanded Oversight of Certain Consumer Financial Services Innovation Sector, *Buchalter Client Alert*, September 10, 2020
- Buchalter COVID-19 Client Alert: HUD, FHFA, VA Announce Extensions of Foreclosure and Eviction Moratoriums to December 31, 2020, *Buchalter Client Alert*, August 28, 2020
- Buchalter COVID-19 Client Alert: FHFA to Extend GSE Covid-Related Origination Processing Flexibility Until August 31, *Buchalter Client Alert*, July 10, 2020
- Buchalter COVID-19 Client Alert: CFPB Issues Proposed Rule, FAQs and Revised CHARM Booklet for Transition from LIBOR, *Buchalter Client Alert*, June 5, 2020
- Buchalter Client Alert COVID-19: New HMDA Final Rule Raises Loan Origination Reporting Threshold; Particular Significance for Certain Multifamily Lenders, *Buchalter Client Alert*, April 24, 2020
- Should You Include a Limitation of Liability Provision in Your Next Contract?, *Buchalter Client Alert*, November 19, 2019
- Bankers Trust Company v. Transamerica Title Insurance and Its Progeny: A Construction Lender's Nightmare, *American College of Mortgage Attorney's Abstract*, Fall 2018
- The Jesinoski Opinion Vs. The Statute Of Limitations, *Law360*, September 13, 2016
- Truth-In-Lending Act Rescission Part I: Why The U.S. Supreme Court's Jesinoski Opinion Does Not

- Defeat The Statute of Limitations, *Buchalter Nemer Points & Authorities*, August 9, 2016
- Current Developments In Risk Management For Mortgage Brokers, *Buchalter Nemer Lender Alert*, April 12, 2016
- Stop Notices and Mechanic's Liens: Construction Lenders' Nightmares, *Buchalter Nemer Lender Alert*, February 1, 2016
- The Limits to Title Insurance Protection and the Advantages of Escrow Instructions, *Title Insurance and Escrow Report, Issue #1*, February 3, 2015
- The Full Credit Bid at a Foreclosure Sale: Don't Make One Without the Advice of Knowledgeable Counsel, *Buchalter Nemer Lender Alert*, July 2014

## **Presentations**

- Presenter, "Construction Finance Modifications and Workouts: Key Considerations for Lenders and Distressed Borrowers," Strafford Webinar, October 11, 2022
- Speaker, "Mastering Title Insurance: From the Escrow to the Title Claim," Orange County Bar Association's Insurance Law Section Webinar, February 16, 2022
- Speaker, "Banking Issues In the Cannabis Industry: Managing Risks Under State and Federal Law," Western Bankers Association Webinar, March 3, 2020
- Speaker, "Banking Issues in the Cannabis Industry: Managing Risk Under State and Federal Law," CLE Strafford Webinar, November 5, 2019
- Panelist, "The New (and Improved) ALTA Policies: Are You Ready For Them?," American College of Mortgage Attorneys Annual Event, September 6, 2019
- Speaker, "It May Be Legal, But Is It Unconscionable and Not Enforceable," CMA 2019 Summer Seminar, July 27, 2019
- Speakers, "John Hosack, Jason Goldstein, and Michael Flynn Speakers at CMA 2019 Summer Seminar in San Diego," California Mortgage Association 2019 Summer Seminar, July 25, 2019
- Speaker, "Bankers Trust Company v. Transamerica Title Insurance Company," Committee of Title Insurance Committees, March 14, 2019
- Speaker, "John Hosack, Speaker at American Bar Association Real Property, Trust and Estate Law Section," December 5, 2018
- Speaker, "Fix + Flip Lending: Disbursing Funds, Avoiding Loss of Lien Priority, and Maintaining Title Insurance Coverage," California Mortgage Association's Summer Seminar, July 12, 2018
- Co-Speaker, "Title Insurance: Four Critical Issues," California Mortgage Association, April 26, 2018
- Speaker, "Alternative Dispute Resolution Provisions In Your Loan Documents," California Mortgage Association, Winter Seminar, Universal City, California, January 18, 2018
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Line, Encroachment, Easement and View Issues," Beverly Hills Bar Association, October 11, 2017
- Speaker, "The Prospective Insured's Obligation To Make Written Disclosures to the Title Insurer," American College of Mortgage Attorneys, Annual Meeting, September 15, 2017
- Speaker, "Eliminating Title and Escrow Roadblocks," California Mortgage Association's Spring Seminar , April 6, 2017
- Speaker, "The Ten Most Common Mistakes Made By Lenders Relative To Escrow Instructions And Title Insurance," State Bar of California, Financial Institutions Committee, November 8, 2016
- Panelist, "Workout Wisdom," the Annual Meeting of the American College of Mortgage Attorneys in Newport Beach, September 22, 2016
- Speaker, "Mastering Escrow Instructions and Title Insurance Coverage: Critical Issues You Should Know and Traps to Avoid," Beverly Hills Bar Association, May 4, 2016

- Speaker, "Title Endorsements: A 2016 Update," the California Mortgage Associations Spring Seminar, April 29, 2016
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Line, Easement and View Issues," Beverly Hills Bar Association, November 4, 2015
- Speaker, "What Good is the Appraised Value of Property, if the Lender Did Not Receive a Valid and Enforceable Lien," The Society of Chief Appraisers in Los Angeles, CA, October 28, 2015
- Speaker, "Instruction to Title and Escrow," the California Mortgage Association's Fall Seminar in Las Vegas, NV, October 22, 2015
- Speaker, "Closing Issues (How to Avoid Losing Your Real Property Security and Your Title Coverage)," the Regents Meeting of the American College of Mortgage Attorneys at the La Quinta Resort & Club in La Quinta, CA, March 7, 2015
- Speaker, "The Basics of Title Insurance: A Critical Review for 2014," the Southern California Chief Appraisers & Los Angeles RMA Meeting at The Federal Reserve Bank in Los Angeles, CA, February 19, 2015
- Speaker, "Letters of Intent: Traps for the Unwary Lender," the American College of Mortgage Attorneys Annual Meeting at Bretton Woods, New Hampshire, September 19, 2014
- Speaker, "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," the 11th Southern California Chief Appraisers Meeting in Los Angeles, CA, April 9, 2014
- Speaker, "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," the Northern California Chief Appraisers Meeting in San Francisco, CA, February 21, 2014
- Speaker, "The Basics of Title Insurance - A Critical Review for 2014," the California Mortgage Association's Winter Seminar at the Universal Hilton in Universal City, CA, January 30, 2014
- Speaker, "Neighbor v. Neighbor Disputes - Easements, Boundaries, Views," The Cardozo Society of Jewish National Fund brown bag luncheon in Los Angeles, CA, December 9, 2013
- Speaker, "Is It Legal, But Unethical?: An Analysis of the Interplay Between Civil Code Section 2860 and the Lawyer's Ethical Duties Owed to the Clients," the Los Angeles County Bar Association's Title Insurance Sub-Committee, February 21, 2012
- Speaker, "An Update on the Insured's Right to Independent Counsel," Los Angeles County Bar Association, January 1, 2012
- Chair, "Title Insurance: Transactions, Claims and Litigation," the California Continuing Education of the Bar Program, December 9, 2011
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Lines, Easements and View Issues," the Beverly Hills Bar Association, November 16, 2011
- Speaker, "Title Insurance: Transactions, Claims and Litigation," California Continuing Education of the Bar, January 1, 2011
- Speaker, "Through the Looking Glass: Differing Perspectives on Distressed Real Estate Loans and Workouts," The American College of Mortgage Attorneys, 37th Annual Meeting, January 1, 2010
- Speaker, "Reducing the Risk of Fraud Through the Use of Title Insurance," California Mortgage Association, Summer Seminar, January 1, 2009
- Presenter, "Fraud, Forgery and Fund Diversion: A Lender's Guide to Recovering from Your Title Insurer," the California Mortgage Association, January 1, 2008
- Speaker, "Three Perspectives On A Construction Loan/Mechanic's Lien Dispute: Lender, Title Insurer And Retained Counsel," the American College of Mortgage Attorneys, 34th Annual Meeting, January 1, 2007
- Speaker, "Title Insurance: Preliminary Reports, Title Policies and Claims," California Continuing Education of the Bar 2006, January 1, 2006

## **Webinars**

- "Strafford Webinar: Construction Lending – Negotiation and Documentation Issues," February 2, 2021
  - "Pincus Webinar: Understanding the Legal Impact of Covid-19 as it Affects Your Clients, Your Life and Your Business," April 8, 2020
  - "Webinar: Negotiating and Documenting Commercial Mortgage Modification Agreements: Seven Major Factors," January 15, 2020
  - "Webinar: Lender Liability: Seven Critical Areas," November 6, 2019
  - "Webinar: Loan Guarantees: Hedging Against a Downturn," September 25, 2019
  - "Webinar: Unconscionable Loan?," May 15, 2019
  - "Webinar: Risk Management for Construction Loans: 2019 Update," February 12, 2019
  - "Webinar: Notes, Trust Deeds and Loan Agreements in a Changing Market: Nine Key Areas to Consider," November 13, 2018
  - "Webinar: Financing the Emerging Cannabis Markets: Managing Risks and Opportunities," September 12, 2018
  - "Webinar: Avoiding Loss of Lien Priority: Construction Loan Disbursements," May 8, 2018
  - "Webinar: Take Out Loans: Considerations for Construction and Permanent Lenders," March 20, 2018
  - "Webinar: Construction Lending: Downturns and Defaults," January 23, 2018
  - "Webinar: Borrowers, Guarantors, and Sureties: Dealing With Multiple Parties to A Loan," October 24, 2017
  - "Webinar: Documentation and Collection of a Loan Secured by Multiple Properties," May 23, 2017
  - "Webinar: Nine Most Common Mistakes Made by Lenders Relative to Escrow Instructions and Title Insurance Policies," April 25, 2017
  - "Webinar: Avoiding Lender Liability," February 21, 2017
  - "Webinar: Plugging The Holes In Your Title Policy: Seven Critical Endorsements," December 8, 2016
  - "Webinar: Making Guarantees Work: Improving Documentation and Practices," October 20, 2016
  - "Webinar: Escrow Instructions and Title Insurance: Five Critical Issues and Three Traps to Avoid," September 13, 2016
  - "Webinar: Residential Loan Servicing: Seven Major Mistakes To Avoid," August 9, 2016
  - "Risk Management for Construction Loans Part II: Avoiding Time and Cost Overruns, Construction Defects and Faulty Designs," June 21, 2016
  - "Webinar: Risk Management for Construction Loans," May 17, 2016
  - "Webinar: Current Developments In Risk Management For Mortgage Brokers," March 22, 2016
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## **Bar Admissions**

- California

## **Court Admissions**

- Supreme Court of the United States
- California Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California

- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of California
- U.S. Bankruptcy Court, Southern District of California
- U.S. Bankruptcy Court, Northern District of California

**Community**

- Member, American College of Real Estate Lawyers, Title Insurance Committee
- Co-Chair, Program Committee, American College of Mortgage Attorneys, 1996-2016
- Co-Chair, Title Insurance Committee, American College of Mortgage Attorneys, 2016-Present
- Chair, Title Insurance Litigation Committee of the American Bar Association, 2001-2002
- Chair, Lender's Counsel Group of the American Land Title Association, 2000
- Chair, San Francisco Bank Attorneys Association, 1981