Highlights to the 2026-2027 Edition of Real Estate Investor's Deskbook

New features and recent developments in this 2026-2027 Update include:

- Conservation easements: The Eleventh Circuit rejected easement valuations built on speculative development and held that a dealer-held tract contributed to a partnership limits the deduction to basis;
- Mortgage priority and inquiry notice: a lender that recorded first lost priority to investors because it was on inquiry notice;
- Automatic stay: Accurate, timely, clearly disclaimed mortgage statements sent to a Chapter 13 debtor are not debt collection and do not violate the stay;
- SEC disgorgement: The SEC may obtain disgorgement without proving investor pecuniary loss;
- Tax sales: Just compensation after a fairly conducted tax auction is measured by the sale price, not fair market value;
- Fraud and anti-reliance clauses: An anti-reliance clause does not bar fraudulent-inducement claims based on a pre-signing representation of present fact that the contract does not contradict;
- Brokerage commissions: The Eighth Circuit affirmed final approval of the NAR antitrust settlement, which eliminates the MLS offer-of-compensation rule;
- Residential real estate reporting: FinCEN's Residential Real Estate Rule was vacated nationwide;
- Escrow interest preemption: The Second Circuit found New York's escrow-interest law preempted, the First Circuit found Rhode Island's not preempted, and the OCC issued a preemption rule;
- Fair Housing Act: A tenant-screening vendor was not liable where the landlord made the housing decision, and a fair housing organization lacked standing;
- Updates to court rulings, statutes, regulations and other relevant guidance throughout.