
Member Spotlight

Description

Todd Condron is a partner with Leggett Simon Freemyers & Lyon, PLC and a Principal with Ekko Title. Todd spends most of his time at the Ekko Office in Vienna, Virginia. Additionally, he is a Northern Virginia Representative for the Real Estate Section of the Virginia State Bar Association.

Mr. Condron began his work with the Virginia State Bar almost a decade ago. One of the main reasons behind his involvement was the schism he saw within the real estate legal community. Mr. Condron felt there was a breakdown in the relationship between the lawyers practicing real estate law in areas of litigation for instance, and those of us who work in the settlement world. Furthermore, he felt *all* real property lawyers need to work together to impact those laws that affect the settlement community.

The Real Estate Section meets regularly through phone calls and in-person meetings in which they discuss a variety of topics and advise the State Bar Ethics Committee. One of the Section's main objectives is to create fact patterns for Legal Ethics Opinions (LEOs) to guide attorneys who work in real estate.

Mr. Condron, through his work with the Real Estate Section and in other endeavors, spends a lot of time on an issue that is being widely debated in Virginia right now and that is the split closing. This is the situation when a seller and buyer conduct their portion of a closing with different title companies or attorney offices. This has been a healthy debate for a number of months and will likely continue into the future. Mr. Condron's concerns center on several issues:

Seller and buyer perspective: What does the individual think is the role of the settlement company?
What does the individual think is the role of the attorney?

Representation issues and preparation of legal documents: Is there some element of representation if a seller engages a title company to handle the seller's requirements in the contract?

How do we as a community properly articulate that relationship?

Mr. Condron feels that he and his section are a little like police officers sitting on the side of the road watching cars speed by. While it is clear they are all violating the law, but no one is getting hurt. However, at some point you have to pull over the speeders.

Mr. Condron has been part of the debate for some time and is out in the community discussing and teaching on this topic. One of the questions he posed to me was very interesting and worth considering. What if a seller was engaging his services and the deal fell through? Does he have an obligation to assist the seller as he deals with the unwinding of the contract? Or does he simply let the contract go and wish the seller well until next time? What if there is an issue with the listing agreement? Does he have any obligation there?

Mr. Condrón spent a lot of time discussing and debating these issues. For him, he feels he has an obligation to engage the seller in a way that provides the best possible result. He uses an engagement letter and clearly articulates how and what he will do for the seller in the split closing. His clients understand that he is the point of contact for the transaction and that he will assist them to the end, whatever that end may be. Additionally, the law firm and not the title company receives payment on the settlement statement. Mr. Condrón firmly believes that what we do as attorneys as part of the settlement really matters. All of his concern flows from that central idea. As closings adjust in the Commonwealth we all should be cognizant of how our actions are interpreted and spend as much time



we do and how we do it.

Todd Condrón is a partner at Leggett Simon Freemyers & Lyon,

PLC. Mr. Condrón obtained bachelor's degree in political science at West Virginia Wesleyan College and obtained a juris doctor degree from the West Virginia University College of Law, graduating in 2001 as a member of the WVU Moot Court Board. After years of being a title examiner during law school, Mr. Condrón started practicing law in Northern Virginia in 2002, specializing in real estate. On March 1, 2008, he was one of the founding partners of the law firm Leggett Simon Freemyers & Lyon, PLC, based out of Reston, VA, and they also formed Ekko Title, L.C., which now has 8 offices in the Northern Virginia region. Mr. Condrón gave a keynote speech at the *2007 NVAR Annual Convention* on the topic of Short Sales & Foreclosures and gave the keynote speech at the *2015 PWAR Annual Convention* on the topic of the then newly-minted Virginia Residential Sales Contract. He has served as Chairman of the NVAR Attorney's Roundtable advisory committee, and also served on the NVAR Standard Forms Committee during the year when the new Virginia Residential Sales Contract was formed. He was nominated and accepted as a *Northern Virginia Representative to the Real Estate Section of the Virginia State Bar Association* in September 2009, and now serves on the Ethics Committee to the Real Estate Section.

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1. Members

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1. featured

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