# real estate Drafting

#### LAW 6807

#### 2 Credit Hours

#### sPRING, 2023

#### Class location: Holland hall 284

#### Tuesday and Thursday 9:00-9:55

professor: Sabrina Lopez

Email: [lopez@law.ufl.edu](mailto:lopez@law.ufl.edu)

Office Phone: 352.273.0729

Office Location: Holland 349

office Hours:

Wednesdays 11-1 and by appointment. Please keep in touch with me! I try to respond to emails quickly. Please contact me if you have any questions regarding the course or a specific assignment.

Course Website: <http://elearning.ufl.edu/> You are responsible for reviewing the page for course updates. I use the “Announcements” section of Canvas as my main source of communication with my students. Check it frequently.

Required Text:

**Text:** Stark, Tina L., *Drafting Contracts (2nd Edition)*, ISBN #978-0-7355-9477-7, Wolters Kluwer Law and Business.

**Supplemental Materials:** This course will include supplemental materials accessible through Canvas

Course Objective and Goals:

The primary objective and goal of this course is for you to learn how to review, draft and analyze contracts and various real estate documents. Upon completion of the course you should be able to:

* Understand the business purpose of contract concepts.
* Draft each of a contract’s parts with clarity and without ambiguity.
* Effectively work through the drafting process.
* Understand, draft and comment on contracts and basic transactional documents commonly encountered in real estate practice with the client’s goals and objectives in mind.
* Analyze the critical components of real estate transactional documents and how they impact the sale, purchase, mortgage and lease of real property.
* Demonstrate an understanding and engage in the negotiating process related to purchase and sale documents, including but not limited to, purchase and sale agreements, broker listing agreements, and mortgages and add value to such deals.

It is anticipated that you will spend approximately 2 hours out of class reading and/or drafting an assignment for every 1 hour in class.

Course EVALUATIONS:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>.  Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals OR via <https://ufl.bluera.com/ufl/>.  Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

## Course Policies:

Attendance Policy:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. You are permitted to miss two class periods without penalty. **Missing more than two class periods may result in a reduction of your final grade.** **Missing more than six classes will result in a failing grade in the course.**

Excessive tardiness will also result in a grade penalty.

The law school’s policy on attendance can be found [here](https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies#:~:text=co%2Dcurricular%20activities.-,Attendance,regular%20and%20punctual%20class%20attendance.&text=UF%20Law%20policy%20permits%20dismissal,of%2012%20credits%20per%20semester.).

Assignment PolicieS:

*Class Participation*

Participation grades are based on class attendance, preparation, and active participation in class activities.

*Late Policy*

Late assignments will result in your grade being lowered by one grade increment per day. An assignment will not be accepted if it is more than three days late.

*Professionalism*

I will run our classroom like a law office. Students are the new “associates” and I am the law partner. I expect professionalism at all times.

*Plagiarism and Collaboration*

All work in this class must be your own. In this class, you may not review the work of a fellow student or allow another student to review your work, unless expressly authorized by me.

Plagiarism is a very serious offense. There are detailed policies regarding what constitutes plagiarism in your student handbook. Ignorance of the policies is not a defense to a charge of plagiarism.

Recording policy:

All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will work with faculty to determine when students may have access to these recordings, and the recordings will be password protected. It is the student’s responsibility to contact the Office of Student Affairs as soon as possible after an absence.

COVID-19 policy:

You are required to follow the policies and requirements set forth by the University of Florida with respect to COVID-19. These policies are subject to change from time to time. Please refer to <https://coronavirus.ufl.edu/university-updates> for the latest guidelines. Following and enforcing these policies and requirements are all of our responsibility. Failure to do so will lead to a report to the Office of Student Conduct and Conflict Resolution and removal from the course.

COMPuter policy:

We will be using computers in class frequently, so do plan to have it available each class.

## UF Policies:

University Policy on Accommodating Students with Disabilities: Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

University Policy on Academic Misconduct: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

Netiquette: Communication Courtesy: All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions and chats.

## Getting Help:

To reach the law school’s mental health counselor, Ritzy Ettinger, email [rettinger@ufl.edu](mailto:rettinger@ufl.edu) or call 352.273.0620.

Additional resources are available at <http://www.distance.ufl.edu/getting-help> for:

* Counseling and Wellness resources
* Disability resources
* Resources for handling student concerns and complaints
* Library Help Desk support

Should you have any complaints with your experience in this course please visit <http://www.distance.ufl.edu/student-complaints> to submit a complaint.

## Grading/Course Policies:

50% Successful completion of class exercises, assignments, participation and attendance.

50% Final Exam

The law school policy on exam delays and accommodations can be found [here](http://www.law.ufl.edu/student-affairs/current-students/forms-applications/exam-delays-accommodations-form).

Grading Scale:

Grades are recorded permanently by the Office of the University Registrar. The grade point average (GPA) is determined by computing the ratio of grade points of semester hours of work attempted in courses in which letter grades are assigned. Students receive grade points according to the following scale:

|  |  |
| --- | --- |
| **Grade** | **Points** |
| A | 4.0 |
| A- | 3.67 |
| B+ | 3.33 |
| B | 3.0 |
| B- | 2.67 |
| C + | 2.33 |
| C | 2.0 |
| C- | 1.67 |
| D+ | 1.33 |
| D | 1.0 |
| D- | 0.67 |
| E (Failure) | 0.0 |

## Course Schedule:

**Assignments and Course Schedule (subject to change)**

January 17 Introduction to Course

Read: Reading Materials available in Canvas

Visit our class E-Learning page prior to first class.

Read the syllabus.

Introductory Assignment.

Chapters 1 and 2 in textbook.

January 19 Translating the Business Deal to Contract Concepts

Read: Chapters 3 and 4

January 24 A Contract’s Parts

Read: Chapter 5 and 26

January 26 Introductory Clauses and Defined Terms

Read: Chapters 6 and 7

January 31 Action Provisions

Read: Chapter 8

**Due: Assignment #1**

February 2 Representations, Warranties and Covenants

Read: Chapters 9 and 10

February 7 Conditions to an Obligation, Declarations and Discretionary Authority

Read: Chapters 11, 12 & 13

February 9 Endgame and General Provisions

Read: Chapter 15

February 14 Real Estate Contracts and Remedies

Read: Chapters 18 and 21

Reading Materials Available in Canvas

February 16 Real Estate Contract and Remedies

Read: Chapters 27 and 28

Reading Materials Available in Canvas

**Due: Assignment #2**

February 21 Amendments

Read: Reading Materials Available in Canvas

Chapter 29

February 23 Broker/Listing Agreements

Read: Reading Materials Available in Canvas

February 28 Mortgages

Read: Reading Materials Available in Canvas

March 2 Midsemester Review

March 7 Land Descriptions/Surveys

Read: Reading Materials Available in Canvas

March 9 Drafting Deeds

Read: Reading Materials Available in Canvas

**Due: Assignment #3**

**\*\*March 13-17 Spring Break**

March 21 Drafting Leases

Read: Reading Materials Available in Canvas

Chapter 17

March 23 Leases Continued

Read: Reading Materials Available in Canvas

March 28 Assignments

Read: Chapter 16

March 30 Title

Read: Reading Materials Available in Canvas

April 4 Title Continued

Read: Reading Materials Available in Canvas

April 6 Title Objection Letters

Read: Reading Materials Available in Canvas

**Due:** **Assignment #4**

April 11 Closing and Settlement Statements

Read: Reading Materials Available in Canvas

April 13 Evaluations/Course Recap

\*April 14 Final Exam Released

April 18 Guest Speaker(s)

**April 21 Final Exam Due**

Disclaimer:

This syllabus represents my current plans and objectives.  As we go through the semester, those plans may need to change to enhance the class learning opportunity.  Such changes, communicated clearly, are not unusual and should be expected.