# real estate TRANSACTIONS

#### LAW 6930

#### 3 Credit Hours

#### sPRING, 2023

#### Class location: Holland hall 270

#### Tuesday and thursday 1:45-3:10

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:** Malloy, Robin P. and Smith, James C., *Real Estate Transactions; Problems, Cases and Materials (5th Edition)*, ISBN #978-1-4548-7106-4, 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:

* Identify legal issues in simple and complex real estate transactions.
* Identify the relevant legal authority and policy
* 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.
* Evaluate cases, statutes, arguments, documents, and attorney’s actions on their effects on the clients, the real estate system, and society
* Evaluate the strategy and ethics of applying different approaches to solving the real estate problem
* Challenge assumptions made by judges, legislatures, attorneys, students, professors, themselves
* Understand basics of broker contracts, broker duties, Conditions of the property of sale, closing documents, remedies, allocating title risks, land descriptions, public records, title products, leases, mortgages and foreclosures

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:

10% Successful completion of class exercises, participation and attendance.

30% Quizzes

60% 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.

Post Introductory Assignment

Chapter 1; Problems 1A and 1B

January 19 Market Context for Real Estate Transactions

Read: Chapter 1 Continued

Problems 1C and 1D

January 24 Preparing to Contract and Executory Period

Read: Pages 59-64; Problem 3A

January 26 Preparing to Contract and Executory Period

Read: Pages 65-78; Problem 3B

January 31 Preparing to Contracts; Executory Contracts

Read: Pages 78-92; Problem 4A

February 2 Executory Contracts

Read: Pages 92-105; 4B and 4C

February 7 Continuing Executory Contracts

Read: Pages 105-115; Problem 4E and 4F

February 9 Condition of the Property

Read: Pages 117-135; 5A, 5B, 5C

February 14 Conditions of the Property

Read: Pages 135-150; Problem 5D and 5E

February 16 Brokers

Read: Pages 27-49; Problems 2A, 2B and 2D

February 21 **Review/Quiz #1**

February 23 Closing the Contract

Read: Pages 150-165; Problem 6A, 6B and 6C

February 28 Closing the Contract Continued

Read: Pages 166-172; Problem 6E

March 2 Allocating Title Risks

Read: Pages 209-220; Problems 8A, 8B, and 8C

March 7 Allocating Title Risks Continued

Read Pages 220-230; Problem 8E,8F an 8G

March 9 Land Descriptions

Read: Pages 233-245; Problems 9A and 9B

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

March 21 Land Descriptions continued

Read: Pages 245-257; Problems 9C and 9D

March 23 Title Products

Read: Pages 301-322; Problems 11A and 11B

March 28 Title Products Continued

Read: Pages 310-322; Problems 11C and 11D

**March 30** **Review/Quiz #2**

April 4 Possession and Use of Mortgaged Property

Read: Pages 413-428; Problems 14A, 14B and 14C

April 6 Mortgage Obligations

Read: Pages 429-461; Problems 15A and 15B

April 11 Basic Commercial Real Estate

Read: Pages 620-624; Problems 20A an 20B

April 13 Basic Commercial Real Estate continued

Read: Problem 20C

April 18 Guest Speakers

April 20 Evaluations/Final Exam Review

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.