

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

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.bluer.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](#).

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 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](#).

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
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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: Problems 1C and 1D	Chapter 1 Continued
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 and 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.