

PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE  
MASTER SYLLABUS

**PROPERTY LAW  
LAW 2030**

**Class Hours: 3.0**

**Credit Hours: 3.0**

**Laboratory Hours: 0.0**

**Revised: Fall 04**

NOTE: This course is not designed for transfer credit.

**Catalog Course Description:**

A study of real estate transactions and conveyances, including deeds, contracts, leases, deeds of trust and zoning. Drafting and recording of real estate documents and search of public documents. An introduction to property law, personal property issues and bailment.

**Entry Level Standards:**

College-level competencies in logic, reading, and English are required.

**Prerequisites:**

LAW 1050 and 1060

**Textbook(s) and Other Course Materials:**

Slossberg, Lynn T., *The Essentials of Real Estate Law for Paralegals*. (West, 1999).

**I. Week/Unit/Topic Basis:**

<b>Week</b>	<b>Topic</b>
1	Fundamental Concepts of Real Property (1.0 hour); Ethics and Real Property Practice (1.0 hour): competence, conflict of interest, confidentiality, imputed disqualification, fees (1.0 hour)
2	Basic Principles of Real Estate Law: classifications of property (1.0 hour), methods of acquiring real property (.5 hour); forms of ownership (1.0 hour); spousal rights (.5 hour)
3	Categories of Real Property: residential, commercial (1.0 hour); state, federal and local laws (2.0 hours)
4	Ownership Restrictions: police power and the various ways exercise of police power by local, state and federal governments can impact the private property owner(1.0 hour) ; zoning, variances, environmental protection laws, fair housing laws, taxation, eminent domain, escheat(1.5 hour); restrictive covenants, easements, liens, licenses(.5 hour)
5	Legal Descriptions of Property: metes and bounds (1.0 hour), government survey (1.0 hour), plat (1.0 hours)
6	Real Estate Brokers: fiduciary relationship (.5 hour), broker's responsibilities (.5 hour); listing agreements (.5 hour); The Basic Real Estate Contract: terms, parties, description, consideration (.5 hour); contract remedies (.5 hour); option contracts (.5 hour)
7	Deeds: grantor, grantee, date, consideration, words of conveyance (.5 hour), legal description (.5 hour), witnesses and acknowledgement, delivery; clauses (.5 hour);

types of deeds: warranty, quitclaim, deeds of correction (1.0 hour); preparation checklist (.25 hour); recordation (.25 hour)

- 8 Liens on Property: secured and unsecured(1.5 hour)s; judgment, tax, mortgage, construction liens (.5 hour); notice (.25 hour); priority of lien (.25 hour); attachment, lis pendens (.5 hour)
- 9 Financing: mortgage v. deed of trust (1.0 hour), promissory note (.5 hour); financing institutions (.5 hour); types of loans (.5 hour); secondary market (.5 hour)
- 10 Title Examinations and Title Insurance: importance of title search (1.0 hour), function of title insurance (1.0 hour) An Introduction to the Closing: opening and managing a real estate file (1.0 hour)
- 11 Residential Closings: document preparation and execution (1.0 hour); Commercial Real Estate Closings: worksheets, closing statements (1.0 hour); Construction Loan Closings (1.0 hour)
- 12 Residential Leases: rights and duties of landlord and tenant (1.5 hour); lease provisions (1.5 hour); Commercial Leases: types of leases (2.0 hour); elements of commercial lease (1.0 hour)
- 13 Eviction Procedures: constructive eviction (.50 hour); notice (.50 hour); Overview of Real Estate Litigation (.50 hour); causes of action (.50 hour); remedies (.50 hour); damages (.50 hour)
- 14 Mortgage Foreclosures: judicial, nonjudicial, strict (3.0 hours)
- 15 Final Examination

## II. Course Objectives\*:

- A. Demonstrate a complete and thorough understanding of legal ethics. I, III, V
- B. Understand the legal concept of property ownership. I, II, IV
- C. Distinguish between real and personal property. I, II, III, IV
- D. Identify the estates of ownership for real property. I, II
- E. Understand and be able to explain the legal concept of adverse possession. I, II
- F. Distinguish and explain the four types of concurrent ownership. I, II, III
- G. Understand the public restrictions on the use of real property such as zoning, building codes, eminent domain, and subdivision restrictions. I, II, III, IV
- H. Understand the uses of an easement. I, II, III, IV
- I. Identify the various easements and their methods of creation and termination. I, II, III, IV
- J. Explain the requirements of a valid real estate contract. I, II, IV
- K. Identify and understand the types of deeds used in real estate practice. I, II, III, IV, V
- L. Recognize the importance of title examinations. I, II, III, IV, V
- M. Explain the three types of recording statutes. I, II, III, IV
- N. Identify and analyze the different forms of real estate financing, and the default and foreclosure process. I, II, III, IV, V
- O. Continue developing a legal vocabulary. I, II, III, IV, V

\*Roman numerals after course objectives reference goals of the Paralegal Studies program.

### III. Instructional Processes\*:

Students will:

1. Practice elements of the work ethic such as professionalism, preparedness, punctuality, honesty, cooperation, dependability, contribution, effectiveness, good manners, etc. *Personal Development Outcome, Cultural Diversity and Social Development Outcome, Transitional Strategy*
2. Refine their reading skills and expand their legal vocabularies through completion of weekly guided reading exercises that allows them to communicate more effectively with lawyers and legal professionals. *Communication Outcome, Transitional Strategy*
3. Strengthen analytical skills by locating court cases and statutes in the ERC and on Westlaw to determine the application of the rules of law to specific facts. *Information Literacy Outcome, Problem Solving and Decision Making Outcome, Cultural Diversity and Social Adaptation Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*
4. Examine ethical issues related to legal representation, unauthorized practice of law, confidentiality, duty of legal professional to provide legal services, etc. *Personal Development Outcome, Cultural Diversity and Social Adaptation Outcome, Transitional Strategy, Active Learning Strategy*
5. Listen to guest speakers from the legal community to learn the demands for legal assistants who possess basic knowledge of real estate law, title searches, closings, and property terminology. *Personal Development Outcome, Cultural Diversity and Social Adaptation Outcome, Transitional Strategy, Active Learning Strategy*
6. Develop investigative skills using the Internet, library, and governmental agency resources to find relevant information. *Problem Solving and Decision Making Outcome, Information Literacy Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*

\*Strategies and outcomes listed after instructional processes reference Pellissippi State's goals for strengthening general education knowledge and skills, connecting coursework to experiences beyond the classroom, and encouraging students to take active and responsible roles in the educational process.

### IV. Expectations for Student Performance\*:

Upon successful completion of this course, the student should be able to:

1. Draft contracts, leases, deeds, and mortgage documents. A, B, D, F, J, K, L, O
2. Prepare closing documents, including settlement sheets. A, B, D, F, G, H, K, N
3. Assist buyer or seller with transfer of property. A, B, C, F, J, K, L, M, N, O
4. Conduct a title search. B, D, F, G, H, K, L, M, N, O
5. Prepare for and conduct a real estate closing. C, D, J, K, L, N, O
6. Process notices and documents for mortgage foreclosures. N, O
7. Record instruments affecting title. C, D, G, H, J, K, M
8. Process notices and documents for a tenant eviction. A, B, C
9. Prepare an application for a zoning variance. G, H
10. Prepare a draft of a residential or simple commercial lease. G, H, O

11. Read a property survey and convert it into metes and bounds. K, O

\*Letters after performance expectations reference the course objectives listed above.

## V. Evaluation:

### A. Testing Procedures:

Students are evaluated primarily on the basis of tests. The instructor will provide full details on a supplementary syllabus the first day of class

### B. Laboratory Expectations:

Students will work in small groups to research an assigned topic, and make a class presentation on that topic.

### C. Field Work:

Students will complete several out-of-class skills projects. These exercises may include: Conducting a title search, attending a real estate closing, and reading a property survey and converting it into metes and bounds. Students will make a reference notebook for property law following guidelines given by the instructor. This notebook may contain legal writing exercises, as well as drafting exercises, to include:

Real estate contracts	Leases
Deeds	Mortgage documents
Closing documents	Notices and documents for tenant eviction
Notices and documents for mortgage	
Foreclosure	

### D. Other Evaluation Methods:

1. All tests and papers will be graded for spelling and English usage in addition to content and format.
2. Students are partially evaluated on the basis of in-class projects requiring use of the stated skills. Class participation is important and will be considered in the final grade.
3. Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.

### E. Grading Scale:

A	93-100
B+	88- 92
B	83- 87
C+	78- 82
C	73- 77
D	65- 72
F	64 and below

## VI. Policies:

### A. Attendance Policy:

Pellissippi State Technical Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. [NOTE: No differentiation is noted for excused/unexcused absences. These will be treated as an absence.] (Pellissippi State, 2004-2006 Catalog, page 83)

### B. Academic Dishonesty:

Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular Pellissippi State procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination or to assign an F in the course. (Pellissippi State, 2004-2006 Catalog, pages 62-63)

C. Other Policies:

Late papers will not be accepted nor will make-up tests be given without specific approval of the instructor.

Computer Usage Guidelines:

College-owned or –operated computing resources are provided for use by students of Pellissippi State. All students are responsible for the usage of Pellissippi State’s computing resources in an effective, efficient, ethical and lawful manner. (Pellissippi State, 2004-2006 Catalog, pages 67-70)

Accomodations for disabilites:

If you need accommodation because of a disability, if you have emergency medical information to share, or if you need special arrangements in case the building must be evacuated, please inform the instructor immediately. Privately after class or in the instructor's office.

To request accommodations students must register with Services for Students with Disabilities: Goins 127 or 131, Phone: (865) 539-7153 or (865) 694-6751 Voice/TDD.