Kankakee Community College Syllabus

Course prefix and number: PLAS 2213

Course title: REAL ESTATE LAW, Spring 2018

Credit hours/Length: Lecture hours: 3 Clinical/Lab hours: None

Catalog description: This course provides a comprehensive understanding of the law of real property. Types of ownership, surveys and legal descriptions, and encumbrances are discussed. The course also addresses contracts and related issues; property transfers by deed; real estate finance and mortgages; title to property; and real estate closings. The paralegal's role in these transactions is a foundation of the course.

The following are prerequisites:

- 1. Admission to the Paralegal/Legal Assistant Studies Program;
- 2. PLAS 1123 (Legal Research & Writing I);
- 3. PLAS 1133 (Legal Research & Writing II) may be taken concurrently with this course.

Faculty

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Office Location/Office Hours

Business Division Adjunct Faculty Office (in Votech) or Dr. Condon's office (D116) by appointment only.

Textbook(s) and Other Materials

- A. Hinkel, Daniel F. Practical Real Estate Law, Seventh Edition. Cengage Learning, 2015.
- B. Supplemental handouts and other materials will be distributed during class.

Instructional Methods

Methods will include lectures, discussions, in-class and library research and writing projects, and individual assignments and activities.

Relationship to academic programs and transferability

Real Estate Law was designed to meet specific student needs, either individually or within a program. Transferability of this course will be determined by each transfer institution. Please see an academic advisor for an explanation concerning transfer options. Refer to the IAI web page at www.itransfer.org for more information.

Course Goals and Learning Outcomes

At the conclusion of this course, you, the legal professional, will be able to:

- 1. Discuss the general evolution of real property law in the United States and distinguish between the forms of concurrent ownership;
- 2. Review and interpret surveys and legal descriptions and explain public restrictions and private encumbrances that might appear in real estate documents;
- 3. Explain the elements of a valid real estate contract and draft a sample contract for a variety of real estate transactions;
- 4. Identify and prepare a variety of deeds to convey title;
- 5. Identify various types of real estate financing and prepare, under attorney supervision, a variety of real estate financing documents;
- 6. Simulate assisting an attorney with a title examination, identify potential title problems, determine the best way to solve such problems, and to review and check a title insurance commitment and policy;
- 7. Create, under attorney supervision, all documents related to real estate or mortgage loan closings;
- 8. Understand and explain the government regulations applicable to real estate transactions;
- 9. Discuss and distinguish between condominium and cooperative forms of ownership and understand the content of legal documents required to establish such forms of ownership;
- 10. Define and discuss the basic provisions of a lease, including remedies, rent computation, and subleasing.

Evaluation of Student Performance

See the Course Calendar and Homework Table for this session. Homework will generally be due at the start of a class period as noted in this syllabus. All homework is to be stapled, with your name on the top page, along with a description of the homework assigned. For example:

John Smith PLAS 2213 Review Problem 3 Page 79

Homework that is not clearly labeled and stapled will be returned to the student ungraded.

Students are expected to submit homework on the evening it is due. The final homework grade will be reduced by 10% (1 letter grade) per class period until the homework is submitted. The exception to this rule is if you are absent on the date a homework assignment is due; in that case, the due date is automatically extended to the date you return for your next class without any reduction in points. All homework will be submitted in typewritten format (typewriter or PC acceptable) unless otherwise directed by the instructor.

The instructor reserves the right to alter or modify the content of an assignment or its position in the course calendar.

90-100% of total points possible = A 80-89% of total points possible = B 70-79% of total points possible = C 60-69% of total points possible = D Under 60% of total points possible = F

. The points will be apportioned as follows:

25% of the final course grade: Final Exam

30% of the final course grade: Exam #1, #2 and #3 10% of the final course grade: In Class Closing Project 15% of the final course grade: Class Participation

20% of the final course grade: Homework (review questions, case problems and

practical assignments)

Course Policies: Please review these carefully.

You will be allowed a total of three absences for this semester. I reserve the right to inform you that your successful completion of the class is being jeopardized when you have missed your third class. I also reserve the right to request that you withdraw from the class with a grade of "W" when you have missed your fourth class. Each absence in excess of three will result in a one letter grade reduction of your final course grade. Class will begin promptly; students are expected to be on time for class and are strongly encouraged to get notes from fellow students if they miss a class.

As is the case in all KCC computing labs and classrooms, no food, drink, or smoking is permitted. Children are also not permitted in the labs.

The Program's in-class examination policy is pursuant to Section 4.1 of the Code of Campus Affairs and Regulations, which states that "permission to make up work missed because of absence may be granted at the instructor's discretion." For in-class examinations, there are no makeups allowed for any reason except for illness, which must be documented with an original note explaining the absence which is signed by the treating physician. For final projects, the project is due on the assigned due date. Final projects received after the due date will not be graded. Students may not use notes, books, or reference materials on examinations unless specifically authorized to do so by the instructor. Students are to turn off all cell phones and pagers during an examination. Sending and receiving e-mails, instant or text messages, or other forms of electronic communication during the exam are strictly prohibited and will result in a failing grade for that exam. Students

are expected to be on time for exams and will not be given additional time to complete an exam due to a late arrival.

Any student found copying software for personal use or altering settings on the computers (beyond the scope of any classroom assignment) will be removed from the course.

All course assignments and examinations and projects must represent the student's own efforts and any impropriety or appearance of impropriety in a student's submitted work will result in a "zero" for that work and possible removal from the course. In addition, all assignments and projects shall be submitted with a cover sheet containing this statement regarding academic honesty and the student's original signature.

Because academic dishonesty fundamentally undermines the mission of KCC's PLAS Program and diminishes my individual efforts and those of my classmates, I certify that this work product is the result of my own independent and original effort; that I have completed this work product without the assistance of others unless otherwise directed by the instructor; and that I understand the syllabus's sanctions for work product meeting the definition of "impropriety or the appearance of impropriety."

Each student's KCC-based LexisAdvance.com account is for academic use only. Any unauthorized use of such account to accumulate billable hours, to generate client fees, to provide work product for an internship site provider or individual authorized by statute or court rule to provide legal advice, or for any other income-producing use is strictly prohibited under the terms of the LexisAdvance Acceptable Use Policy; further, such use serves as grounds for immediate withdrawal from the course and possible sanctions under college policy.

College Policies

Withdrawals

When it is necessary to withdraw from a course or from the college, a student may do so on or before the withdrawal date stated on the syllabus without receiving a punitive final grade. Change of Schedule forms (used to add or drop a course) are available in Student Services and the student should obtain the required signatures prior to submitting the Change of Schedule form to an adviser in Student Services. Students may submit Change of Schedule forms through the mail, but they must be postmarked no later than the withdrawal date. No withdrawals are allowed by phone. The last date to withdraw with a grade of "W" is ten school days after the midpoint of the course pursuant to the Kankakee Community College catalog.

Code of Conduct

By participating in this course, the student agrees to adhere to the KCC Code of Conduct, found in each academic year's catalog, and understands that his or her classroom behavior shall be in compliance with the Code.

Inclement Weather

As a general rule, KCC will remain open during inclement weather. If the College will be closed due to inclement weather, cancellation announcements will be broadcast over Kankakee radio stations WKAN-AM, WBSW-FM, and WLRT-FM; Watseka stations WGFA-AM/FM; and Pontiac

stations WJEZ-AM/FM. In addition, KCC reports campus closings at http://www.emergencyclosings.com.

Use of KCC Student E-mail Accounts

To ensure a student's privacy under all applicable education laws and to facilitate timely interactions, two College-authorized methods of electronic communication exist: KCC-issued student email accounts (using the domain name of .student.kcc.edu) and the Canvas Learning Management System. Students are expected to regularly check their KCC email accounts and Canvas for important incoming communication from the college or from individual instructors. Students understand that emails they send from personal email accounts (other than those listed above) may not be delivered to the KCC recipient, and students should have no expectation that such messages will be answered.

Non-Attendance/Non-Participation

KCC complies with state law and federal financial aid policy. If you receive an attendance grade of F or are institutionally withdrawn from a course, it will affect your eligibility for financial aid. (1) You must attend at least one class, or participate at least once for an online course (logging in without participation is not attending), by the 10th day of 16 week courses or within the first 10% of shorter term classes. Non-attendance will result in an attendance grade of F. (2) If you have excessive absences and no reasonable chance of passing the course at midterm (or after), your instructor may give you a WX grade and have you institutionally withdrawn from the course.

College Resources

Writing Lab

KCC's Writing Lab is now paired with the English Department. Tutors have been trained by English faculty in an attempt to better align classroom instruction with tutor advice. The lab is free and available on a walk-in basis to support students of all levels and at all points throughout the writing process. Location: L341. For a current tutoring schedule, go to http://www.kcc.edu/tutoring.

Office of Disability Services

KCC offers advisement and special instructional support for students who are physically and learning disabled, as well as those with academic deficiencies. Students will receive appropriate academic instructional support, including preparatory courses, tutorial assistance, study skills assistance, and self-instructional programs. For disability services, go to room D234, Tel: 815-802-8632.

Miner Memorial Library

The Miner Memorial Library provides a variety of services free to students, including books, computer access, Wi-Fi access, and numerous research databases available online. Reference librarians are also available to assist in locating information. The library is open Monday through Friday and online resources are available 24/7. For additional information go to http://www.kcc.edu/library.

Syllabus Disclaimer

The course syllabus and calendar are subject to change.

Copyright

The materials on this course are only for the use of students enrolled in this course for purposes associated with this course. Further Information regarding KCC's copyright policy is available at http://www.kcc-online.org/copyright/policy.html.



Course Calendar Detailing Subject Coverage and Homework Table

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 1: Tuesday, 1/9/2018	 Introductions and review of course syllabus and expectations Review Preface and Glossary Chapter 1, "Introduction to the Law of Real Estate" 	Introduction to the Law of Real Property A. Real Property Law B. Methods of Acquiring Ownership to Real Property C. History of American Real Property Law D. Role of the Paralegal in Real Estate Legal Practice E. Ethics	
Week 2: Tuesday, 1/16/2018	Chapter 2, "Concurrent Ownership"	Concurrent Ownership A. Types of Concurrent Ownership B. Agreements of Cotenancy C. Concurrent Ownership and the Role of the Paralegal D. Ethics E. Other Legal Entitles	 Chapter 1 Review Questions 1-10, p. 18: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVE 1) Chapter 1 Case Problems 2-4, p. 18: Using the hypotheticals provided, answer each question regarding the types of ownership of real property. (OBJECTIVE 1) Chapter 1 Practical Assignment 2, p. 17: Determine what is required in Illinois to obtain ownership by adverse possession. (OBJECTIVE 1) Read and be ready to discuss Chapter 2.

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 3: Tuesday, 1/23/2018	Chapter 3, "Surveys and Land Descriptions"	 Surveys and Land Descriptions A. The Survey B. Preparation of Surveys and Survey Standards C. Land Descriptions D. Practice Tips for Reviewing a Survey E. Ethics 	 Chapter 2 Review Questions 1-3, 5, and 9, pp. 37-38: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVE 1) Chapter 2 Case Problems 1-3, p. 38: Using the hypotheticals provided, answer each question regarding the various forms of concurrent ownership and the problems associated with each. (OBJECTIVE 1) Read and be ready to discuss Chapter 3.
Week 4: Tuesday, 1/30/2018	 Chapter 4, "Public Regulation and Encumbrances" Chapter 5, "Easements and Licenses" 	Public Regulation and Private Encumbrances A. Public Regulation B. Private Encumbrances C. Ethics Easements and Licenses A. Easements B. Licenses C. Practice Tips for the Paralegal D. Ethics	 Chapter 3 Review Questions 1-6, p. 60: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVE 2) Prepare legal descriptions for surveys provided by instructor. (OBJECTIVE 2) Read and be ready to discuss Chapters 4 and 5. Distribution of mechanic lien drafting project. (OBJECTIVES 1, 2)
Week 5: Tuesday, 2/6/2018	• EXAM #1 (CHAPTERS 1-5)		 Chapter 4 Review Questions 1, 2, 4-6, p. 91: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 1, 2) Chapter 5 Review Questions 1-5, 8, 10, p. 113: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 1, 2) Exam #1 covering Chapters 1-5. Contains true/false questions, multiple choice questions, short answer, and legal description questions. (ALL OBJECTIVES)

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 6: Tuesday, 2/13/2018	Chapter 6, "Contracts" Chapter 7, "Preparation and Review of a Real Estate Contract" Contract Contract	A. Requirements of a Valid Contract B. Remedies for Breach of a Real Estate Contract C. Real Estate Brokers D. Listing Agreements E. Taxation and the Sale of Real Property F. Ethics Preparation and Review of a Real Estate Contract A. Elements in a Real Estate Contract B. Special Commercial Contract Issues C. Options D. Contracts and Computers E. Ethics	Read and be ready to discuss Chapters 6 and 7. Mechanic lien drafting project due. (ALL OBJECTIVES)
Week 7: Tuesday, 2/20/2018	Chapter 8, "Deeds" Chapter 9, "Financing Sources in Real Estate Transactions"	Deeds A. Historical Development of Deeds B. Types of Deeds C. Basic Requirements of a Valid Deed D. Preparation of a Valid Deed E. Completing Sections of a Deed F. Practical Exercises in Deed Preparation G. Correction of Deeds	 Chapter 6 Review Questions 1-10, p. 142: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 3, 10) Chapter 6 Case Problems 1 and 3, p. 142: Using the hypotheticals provided, answer each question regarding the elements of contracts and the enforceability of a variety of contracts. (OBJECTIVES 3, 10) Chapter 7 Review Questions 1, 3, 6, 8-10, p. 181: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 3, 8, 10)

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this
			semester, write out the question along with the answer.
		 H. Practical Tips for the Paralegal I. Ethics Financing Sources in Real Estate Transactions A. Sources of Mortgage Loans B. Types of Loans C. Secondary Market D. Permanent and Construction Loans E. The Housing Recession F. Ethics 	 Review and discuss 765 ILCS 5/7, 5/9, and 5/10 re: after acquired title, form of warranty deed, and form of quitclaim deed. (OBJECTIVES 4, 8) Distribution of deed and transfer tax declaration assignment. (OBJECTIVES 2, 4, 8) Read and be ready to discuss Chapters 8 and 9.
Week 8: Tuesday, 2/27/2018	 Chapter 10, "Legal Aspects of Real Estate Finance" Chapter 11, "Mortgage Forms and Provisions" 	Legal Aspects of Real Estate Finance A. Promissory Note B. Guaranty C. Mortgages, Deeds of Trust, and Security Deeds D. Foreclosure and Other Mortgage Remedies E. Debtor's Remedies and Defenses to Foreclosure F. Ethics Mortgage Forms and Provisions A. Residential Mortgage Provisions B. Transfer of Rights in the Property C. Uniform Covenants D. Nonuniform Covenants	 Chapter 8 Review Questions 1-6, p. 240: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 4, 8) Read and be ready to discuss Chapter 9. Chapter 9 Review Questions 1, 2, 6-10, p. 269: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 5, 6, 7, 8) Chapter 9 Case Problems 1 and 3, p. 269: Using the hypotheticals presented, calculate the appropriate amortization schedules. (OBJECTIVES 5, 6, 7, 8) Read and be ready to discuss Chapters 10 and 11.

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	E. Commercial Mortgage Provisions F. Miscellaneous Commercial Loan Documents G. Role of the Paralegal H. Ethics	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 9: Tuesday, 3/6/2018	NO CLASS—SPRING BREAK.		
Week 10: Tuesday, 3/13/2018	EXAM #2 (CHAPTERS 6-11)		 Chapter 10 Review Questions 1, 4, 5, 6, and 7, p. 309: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 6, 7, 8) Chapter 11 Review Questions 1-6, p. 367: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 6, 7, 8) Deed drafting assignment due. (ALL OBJECTIVES) Exam #2 covering Chapters 6-11. Exam is a combination of true-false, multiple choice, and short answer. (ALL OBJECTIVES)
Week 11: Tuesday, 3/20/2018	 Chapter 12, "Title Examinations" Chapter 13, "Title Insurance" 	Title Examinations A. Bona Fide Purchaser for Value Rule B. Recording Statutes C. Practice Tips for Ordering a Title Examination D. Examining a Title to Real Property E. Title Defects and Problems F. Role of a Paralegal and Practice Tips	 Review sample owner's and mortgage title commitments provided by instructor. (OBJECTIVES 6, 7, 8) Review sample chain of title. (OBJECTIVES 6, 7, 8) Read and be ready to discuss Chapters 12 and 13.

	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 12: Tuesday, 3/27/2018 •	Chapter 17, "Condominiums and Cooperatives" Chapter 18, "Leases"	G. Record Rooms and Electronic Records H. Ethics Title Insurance A. Owner's Title Policy B. Mortgage or Loan Policies C. Claims Procedures Under Title Insurance Policies D. Commitments for Title Insurance E. Practice Tips for the Preparation and Review of a Title Insurance Policy F. Ethics Condominiums and Cooperatives A. Condominium B. Birth of a Condominium C. Cooperative D. Time-Shares E. Ethics Leases A. Common Law and Leases B. Commercial Lease Provisions C. Assignment, Subletting, or Mortgaging of the Leased Premises	 Chapter 12 Review Questions 1, 2, 4, 5, 7, and 9, p. 404: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 4, 6, 7, 8) Chapter 12 Case Problems 1 and 4, p. 404: Using the hypotheticals in the text, answer the questions about easements and title searches. (OBJECTIVES 4, 6, 7, 8) Chapter 13 Review Questions 1, 3-7, p. 433: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 4, 6, 7, 8) Chapter 13 Case Problems 1-3, p. 433: Using the hypotheticals presented, answer the questions regarding calculating amounts of title insurance, claims against title, or exceptions to taking title. (OBJECTIVES 4, 6, 7, 8) Read and be ready to discuss Chapters 17 and 18.

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
Week 13: Tuesday, 4/3/2018	Chapter 14, "Real Estate Closings"	Title Insurance, continued Real Estate Closings A. The Parties B. The Environment C. Anatomy of a Real Estate Closing D. Contract with Seller, Purchaser, and Broker by the Paralegal E. A Paralegal's Review of the Mortgage Loan Commitment F. Special Provisions in a Construction Loan Commitment G. The Closing and Aftermath H. Use of E-mail I. Technology for Document Production J. Ethics	 Chapter 17 Review Questions 1 and 5, p. 663: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 9, 10) Chapter 18 Review Questions 1-3, 6-8, p. 717: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 9, 10) Read and be ready to discuss Chapter 14.
Week 14: Tuesday, 4/10/2018	 Chapter 15, "Government Regulation of Real Estate Closings" Chapter 16, "Real Estate Closing Forms and Examples" 	Government Regulation of Real Estate Closings A. RESPA B. Truth-in-Lending Act C. Home Ownership Equity Protection Act D. Adjustable Interest Rate Disclosures E. Predatory Lending Laws F. Mortgage Fraud G. Ethics	 Chapter 14 Review Questions 2, 4, 5, and 7, p. 547: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVES 6, 8) Review and be ready to discuss Homestead Law handout provided by instructor. Read and be ready to discuss Chapters 15 and 16.

Class Date	In-Class Activity (Each Class is 2.5 Hours in Length)	Subject Matter Outline	Evaluation Tool(s) and How Competency of Course Objective(s) Is Evaluated When you are answering chapter review questions this semester, write out the question along with the answer.
		Real Estate Closing Forms and Examples A. Affidavits B. Sale and Transfer Documents C. Miscellaneous Real Estate Closing Documents D. Residential Closing Example E. Ethics	
Week 15: Tuesday, 4/17/2018	• EXAM #3 (CHAPTERS 12-18)		 Exam #3 (Chapters 12-18). Examination consists of true- false, multiple choice, short answer, and document drafting questions. (ALL OBJECTIVES)
Week 16: Tuesday, 4/24/2018	 Preparation for in-class closings Review for final exam 		 Chapter 15 Review Questions 1, 2, 4-6, p. 577: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVE 8) Chapter 16 Review Questions 3 and 5, p. 618: Use your knowledge of basic chapter concepts to answer these questions. (OBJECTIVE 8)
Week of 4/30/2018- 5/4/2018	LAW WEEK ACTIVITIES.		
Week 17: Tuesday, 5/1/2018	In-class closings, both cash and mortgage, on three different parcels	 Cash closing (farmland) Cash closing (vacant lot) Mortgage closing (home purchase) 	Students will assist an attorney in representing sellers and buyers in three closings. Review documents, closing statements, title commitments, and loan instructions. (ALL OBJECTIVES)
Week 18: Tuesday, 5/8/2018	IN-CLASS FINAL EXAM Exam to be administered pursuant	to KCC's Final Exam Schedule.	