

## **Contract Forms and Addenda (RELE 1300)**



**Credit:** 3 semester credit hours (3 hours lecture)

**Prerequisite/Co-requisite:** None

### **Course Description**

Promulgated Contract forms, which shall include but is not limited to unauthorized practice of law, broker-lawyer committee, current promulgated forms, commission rules governing use forms and case studies involving use of forms.

### **Required Textbook and Materials**

1. Texas Promulgated Forms by Peggy Santmyer, Contributing Author.  
Published by DF Institute, Inc., d/b/a Dearborn Real Estate Education.
  - a. ISBN: 978-1-4277-4132-5 / 1-4277-4132-8

### **Course Objectives**

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

1. Describe The Broker-Lawyer Committee, including composition and purpose. (SCANS: C6, F2, F7)
2. Demonstrate that a given action or statement constitutes the unauthorized practice of law and state the penalties for same. (SCANS: F2, F7)
3. Compare and contrast promulgated and approved forms. (SCANS: C7, C15, F2, F10)
4. Assess if the use of a form is within the Texas Real Estate Commission rules for use of forms. (SCANS: C5, C6)
5. Use correct forms for a given scenario; fill in the correct forms for a given scenario. (SCANS: C8, C16, C17, C18, C19, C20, F7)

### **SCANS Skills and Competencies**

Beginning in the late 1980's, the U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS) conducted extensive research and interviews with business owners, union leaders, supervisors, and laborers in a wide variety of work settings to determine what knowledge workers needed in order to perform well on a job. In 1991 the Commission announced its findings in *What Work Requires in Schools*. In its research, the Commission determined that "workplace know-how" consists of two elements: foundation skills and workplace competencies.

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**Course Outline**

- A. Contract Law Overview:
  - 1. Elements of a valid contract
  - 2. Valid/Void/Unenforceable/Voidable
  - 3. Executed and Executory contracts
- B. Laws, Rules and Regulations
  - 1. Texas Real Estate License Act
  - 2. Unauthorized Practice of Law
  - 3. Use of Promulgated Forms
- C. Parties, Property and the Money
  - 1. Information Needed to Complete Contract Forms
  - 2. The Heading; Parties; Property
  - 3. Sales Price; Financing
- D. Covenants, Commitments and Notices
  - 1. Title Policy and Survey
  - 2. Property Condition
  - 3. Brokers Fee
- E. Closing, Possession and More
  - 1. Possession
  - 2. Settlement and other expenses
  - 3. Other Contract Provisions
- F. The Remaining Promulgated Forms
  - 1. New Home Contracts
  - 2. Farm and Ranch Contracts
  - 3. Condominium Contracts
- G. Promulgated Addenda and Other Forms
  - 1. Contract Addendum's
  - 2. Noncontract Forms
  - 3. Summary
- H. Other Real Estate Matters
  - 1. Real Estate Fraud
  - 2. Fair Housing Laws
  - 3. Disclosure of Aids or HIV-Related Illnesses
- I. Practice Makes Perfect
  - 1. Transaction 1
  - 2. Transaction 2
  - 3. Transaction 3
  - 4. Transaction 4

**Grade Scale**

90 – 100	A
80 – 89	B
70 – 79	C
60 – 69	D
0 – 59	F

**Course Evaluation**

Final grades will be calculated according to the following criteria:

- 1. Class attendance, class
  - Participation and pop quizzes 20%
- 2. Four (4) Unit Tests, 20% each 80%
- Total 100%

**Course Requirements**

- 1. Satisfactory exam grades
- 2. Satisfactory attendance

**Course Policies**

- 1. No food, drinks, or use of tobacco products in class.

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2. Beepers, telephones, headphones, and any other electronic devices must be turned off while in class.
3. Do not bring children to class.
4. Tests. Students that miss a test are not allowed to make up the test. Students that miss a test will receive a grade of '0'.
5. If you wish to drop a course, the student is responsible for initiating and completing the drop process. If you stop coming to class and fail to drop the course, you will earn an 'F' in the course.
6. Additional class policies as defined by the individual course instructor.

### **Disabilities Statement**

The Americans with Disabilities Act of 1992 and Section 504 of the Rehabilitation Act of 1973 are federal anti-discrimination statutes that provide comprehensive civil rights for persons with disabilities. Among other things, these statutes require that all students with documented disabilities be guaranteed a learning environment that provides for reasonable accommodations for their disabilities. If you believe you have a disability requiring an accommodation, please contact the Special Populations Coordinator at (409) 880-1737 or visit the office in Student Services, Cecil Beeson Building.

### **Course Schedule**

<b>Week of</b>	<b>Topic</b>	<b>Reference</b>
Week 1	Course introduction and Chapter 1: Contract Law Overview	pp. 1 - 11
Week 2	Chapter 1: Continued	pp. 1 - 11
Week 3	Chapter 2: Laws, Rules and Regulations	pp. 12 - 24
Week 4	Chapter 2: Continued Test #1: Chapters 1 & 2 Date: 2/7/13	pp. 12 - 24
Week 5	Chapter 3: Parties, Property and the Money	pp. 25 - 56
Week 6	Chapter 3: Continued	pp. 25 - 56
Week 7	Chapter 4: Covenants, Commitments and Notices	pp. 57 - 80
Week 8	Chapter 4: Continued Test #2: Chapters 3 & 4 Date: 3/7/13	pp. 57 - 80
Week 9	Spring Break: 3/11/13 thru 3/15/13	
Week 10	Chapter 5: Closing, Possession and More	pp. 81 - 116

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<b>Week of</b>	<b>Topic</b>	<b>Reference</b>
Week 11	Chapter 5: Continued Chapter 6: The Remaining Promulgated Forms	pp. 81 - 116 pp. 117 - 165
Week 12	Chapter 6: Continued	pp. 117 - 165
Week 13	Chapter 6: Continued 4/11/12 - - All College Day – No Classes	pp. 117 - 165
Week 14	Test #3: Chapters 5 & 6 Date: 4/16/13 Chapter 7: Promulgated Addenda and Other Forms	pp. 166 - 194
Week 15	Chapter 8: Other Real Estate Matters Chapter 9: Practice Makes Perfect	pp. 195 - 201 pp. 202 - 257
Week 16	Chapter 9: Continued Last Class Day: 5/2/2013	pp. 202 - 257
Week 17	Test #4: Final Exam – Chapters 7, 8 & 9 Week of 5/6/13 – 5/9/13 Date: TBD	
LIT Graduation: 5/10/13		

**Contact Information:**

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