

## Real Estate Law (RELE 1309)



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

**Prerequisite/Co-requisite:** None

### Course Description

Legal concepts of real estate, land description, real property rights, estates in land, contracts, conveyances, encumbrances, foreclosures, recording procedures, and evidence of title.

### Required Textbook and Materials

TEXAS Real Estate Law, 11E by Charles J. Jacobus

- a. ISBN number is: 10: 1-133-43507-6

### Course Objectives

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

1. Explain the various laws and regulations affecting real estate.
2. Describe the functions and purposes of the various types of deeds.
3. Describe the foreclosure process in Texas.
4. Explain the elements of a valid real estate contract.
5. Discuss the requirements imposed by the Real Estate Settlement Procedure  
a. Act (RESPA).

### Course Outline

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| <p>A. Introduction to the Basic Procedures of Real Estate Law</p> <ol style="list-style-type: none"><li>1. The Role of Real Estate Law</li><li>2. Historical Background of the Courts</li><li>3. The Current Civil Court Systems</li></ol> <p>B. Estates in hand – Freehold Estates</p> <ol style="list-style-type: none"><li>1. Title theory Versus Lien Theory</li><li>2. Types of Freehold Estates</li><li>3. Realty Versus Personalty</li></ol> <p>C. Estates in Land – Statutory Estates</p> <ol style="list-style-type: none"><li>1. Homesteads-Constitutional Criteria</li><li>2. Community Property Rights</li><li>3. Water Rights</li></ol> <p>D. Legal Descriptions</p> <ol style="list-style-type: none"><li>1. Metes and Bounds</li><li>2. Rectangular Survey System</li><li>3. Recorded plat</li></ol> <p>E. How Ownership is held</p> <ol style="list-style-type: none"><li>1. Ownership in Severalty</li></ol> | <ol style="list-style-type: none"><li>2. Tenancy in Common</li><li>3. Partnerships, Corporations, Limited Liability Companies</li></ol> <p>F. Fixtures and Easements</p> <ol style="list-style-type: none"><li>1. Fixtures – Determination of a Fixture</li><li>2. Trade Fixtures</li><li>3. Manufactured Housing</li></ol> <p>G. Real Estate Brokerage</p> <ol style="list-style-type: none"><li>1. Licensing Requirements</li><li>2. Licensee's Employment</li><li>3. Deceptive Trade Practices</li></ol> <p>H. Agency</p> <ol style="list-style-type: none"><li>1. Law of Agency</li><li>2. Creation of Agency Relationship</li><li>3. Agency Disclosures</li></ol> <p>I. Contracts for the Sale of Land</p> <ol style="list-style-type: none"><li>1. Contracts - generally</li></ol> |
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Approved 12/2013

## RELE 1309

### Course Syllabus

2. Rules for the Construction of Contracts
3. Texas Contracts for the Sale of Real Estate
- J. Voluntary Conveyances
  1. Types of Deeds
  2. Requirements of a Deed
  3. Wills –Types of Wills and Conveyance by Will
- K. Involuntary Conveyances
  1. Eminent Domain
  2. Adverse Possession
  3. Gain or Loss of Title by Natural Cause
- L. Recording, Constructive Notice and Acknowledgments
  1. The Recording Process
  2. Acknowledgments
  3. Record of Acknowledgment
- M. Mortgages
  1. Types of Instruments
  2. Other Types of Mortgages
  3. Assumptions and Subject To
- N. Interest and Finance Charge
  1. Finance Charge
  2. Regulation Z
  3. Interest – Usury, Determination of Interest
- O. Methods of Title Assurance
  1. Evidence of Title
  2. Personal Warranty of the Grantor
  3. Title Insurance
- P. Closings
  1. The Closing Process
  2. Documents for the Closing
  3. Parties to a Closing
- Q. Liens
  1. Equitable Liens
  2. Statutory Liens
  3. Constitutional Liens
- R. Landlord and Tenant Relations
  1. Tenancies – types of Estates
  2. Statutes – General and Residential
  3. Remedies of Landlord and Tenant
- S. Condominiums and Cooperatives
  1. Condominiums - Statutory Definitions
  2. Types of Ownership
  3. Cooperative Housing – Creation, Ownership and Control
- T. Regulation of Real Estate
  1. Federal Land – Use Control
  2. State Land – Use Control
  3. County and Municipal Regulations
- U. Real Estate Taxation
  1. Ad Valorem Taxes
  2. Federal Income Taxation
  3. Tax-Deferred Exchanges

### 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:

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|---|------|
| 1. Class attendance, class participation and pop quiz's | 20%  |
| 2. Four (4) Unit Tests 20% each                         | 80%  |
| Total   | 100% |

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Course Syllabus

**Course Requirements**

1. Satisfactory exam grades
2. Satisfactory attendance

**Course Policies**

1. No food, drinks, or use of tobacco products in class.
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: Introduction to the Basic Processes of Real Estate law	pp. 1 - 9
Week 2	Chapter 2: Estates in Land-Freehold Estates Chapter 3: Estates in land-Statutory Estates	pp. 10 - 19 pp. 20 - 53
Week 3	Chapter 3: Continued Chapter 4: Legal Descriptions	pp. 20 - 53 pp. 54 - 61
Week 4	Chapter 5: How Ownership is Held TEST 1: Chapters 1 - 5	pp. 62 - 80
Week 5	Chapter 6: Fixtures and Easements Chapter 7: Real Estate Brokerage	pp. 81 - 97 pp. 98 - 130
Week 6	Chapter 8: Agency Chapter 9: Contracts for the Sale of Real Estate	pp. 131 - 163 pp. 164 - 204
Week 7	Chapter 10: Voluntary Conveyance Chapter 11: Involuntary Conveyance	pp. 205 - 219 pp. 220 - 234

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<b>Week of</b>	<b>Topic</b>	<b>Reference</b>
Week 8	TEST 2: Chapters 6 - 11	
Week 9	Chapter 12: Recording, Construction Notice And Acknowledgments	pp. 235 - 245
	Chapter 13: Mortgages	pp. 246 - 276
Week 10	Chapter 14: Interest and Finance Charges	pp. 277 - 286
Week 11	Chapter 15: Methods of Title Assurance	pp. 287 - 301
	Chapter 16: Closings	pp. 302 - 313
Week 12	TEST 3: Chapters 12 - 16	
Week 13	Chapter 17: Liens	pp. 314 - 331
	Chapter 18: Landlord and Tenants Relationships	pp. 332 - 365
Week 14	Chapter 19: Condominiums and Cooperatives	pp. 366 - 384
Week 15	Chapter 20: Regulations of Real Estate	pp. 385 - 407
	Chapter 21: Real Estate Taxation	pp. 408 - 424
Week 16	TEST 4: Final Exam	

**Contact Information:**

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