

BUTTE COLLEGE

COURSE OUTLINE

I. CATALOG DESCRIPTION

RLS 30 - Legal Aspects of Real Estate

3 Unit(s)

Prerequisite(s): RLS 20 (or concurrent enrollment)

Recommended Prep: NONE

Transfer Status: CSU

51 hours Lecture

This course provides students with a working knowledge of California real property laws. Topics include sources of real estate law; classification of property; fixtures and easements; property rights, liens and homesteads; real estate contracts; licensees' duties and responsibilities; property ownership and management; landlord-tenant law; and covenants, conditions and restrictions. This course satisfies the California Bureau of Real Estate (BRE) requirement that students pass a college-level "Legal Aspects of Real Estate" course prior to taking the Real Estate Broker License Exam.

II. OBJECTIVES

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

- A. Evaluate the legal issues relevant to basic documents of real estate ownership and transfer of legal interests in real estate.
- B. Explain the rights and duties of the owners of any interest in real estate.
- C. Identify common problems incurred while transferring ownership or interest in real property and the basic documents (deeds, liens, affidavits, contracts, mortgages, etc.) used to correct these problems.
- D. Describe the legal issues and generally accepted practices of the California real estate industry relating to the areas of escrow and title insurance, zoning, landlord-tenant practices and problem areas, real estate brokerage and agency rules, requirements and problems.
- E. Explain government regulation and control of real estate, including the issues surrounding eminent domain.
- F. Analyze the ethical issues with which real estate agents and brokers are confronted.

III. COURSE CONTENT

A. Unit Titles/Suggested Time Schedule

Lecture	
<u>Topics</u>	<u>Hours</u>
1. Sources of Law and the Judicial System	3.00
2. Law of Agency	3.00
3. Duties and Responsibilities of Licensees	3.50
4. Regulation of Licensees	3.50
5. Law of Contracts	4.00
6. Real Estate Contracts	4.00
7. Property, Estates and Recordings	3.00
8. Ownership of Real Property	4.00
9. Acquisitions and Conveyances	3.00
10. Real Property Security Devices	4.00
11. Involuntary Liens and Homesteads	3.00

12. Adjacent Property Rights	3.00
13. Land Use Controls	3.00
14. Escrow and Title Insurance	3.00
15. Landlord-Tenant Law	4.00
Total Hours	51.00

IV. METHODS OF INSTRUCTION

- A. Lecture
- B. Guest Speakers
- C. Class Activities
- D. Homework: Students are required to complete two hours of outside-of-class homework for each hour of lecture
- E. Discussion
- F. Reading Assignments
- G. Multimedia Presentations

V. METHODS OF EVALUATION

- A. Exams/Tests
- B. Quizzes
- C. Research Projects
- D. Papers
- E. Oral Presentation
- F. Homework
- G. Class participation
- H. Case Analysis

VI. EXAMPLES OF ASSIGNMENTS

- A. Reading Assignments
 1. Read the text material about material facts that an agent would have to disclose to the buyer and search for relevant information online. Prepare for in-class discussion of various challenging case scenarios often faced by real estate professionals.
 2. Read relevant text and on-line content, then prepare for in-class discussion of the impacts of various sorts of laws (such as environmental, municipal, financial, tax, bankruptcy and contract) that are pertinent to real estate transactions.
- B. Writing Assignments
 1. Write a three- to five-page paper explaining the types, importance and consequences of the specific types of legal title of real property.
 2. Conduct online research about the ways in which real estate attorneys may assist other real estate professionals -- and the advantages and costs associated with doing so. Write a three- to five-page paper presenting your findings.
- C. Out-of-Class Assignments
 1. Analyze a real estate case study in terms of the legal considerations relevant to selecting, acquiring, developing, financing and/or managing real estate. Analyze the facts, identify the legal issues involved, and apply the appropriate legal principles. Write a 5- to 8-page report using the IRAC format (Issue, Rule, Analysis, Conclusion).
 2. Read the assigned hypothetical landlord-tenant real estate case scenarios. Identify and describe potential legal issues you perceive. As appropriate, conduct online research pertinent to factors in this case in order to prepare yourself for in-class discussion of these scenarios.

VII. RECOMMENDED MATERIALS OF INSTRUCTION

Textbooks:

- A. Pivar, W.H. and Bruss, R.J.. California Real Estate Law. 8th Edition. Dearborn Press, 2012.
- B. Henry, D., Reiner, J., Gotanda, J. and Dorsey, N. . California Real Estate Law. 2nd Edition. Rockwell Publishing, 2011.

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