

**RE 55 Course Outline as of Fall 2017****CATALOG INFORMATION**

Dept and Nbr: RE 55 Title: LEGAL ASPECTS REAL ESTAT

Full Title: Legal Aspects of Real Estate

Last Reviewed: 1/23/2023

| Units   |      | Course Hours per Week |      | Nbr of Weeks | Course Hours Total |       |
|---------|------|-----------------------|------|--------------|--------------------|-------|
| Maximum | 3.00 | Lecture Scheduled     | 3.00 | 17.5         | Lecture Scheduled  | 52.50 |
| Minimum | 3.00 | Lab Scheduled         | 0    | 6            | Lab Scheduled      | 0     |
|         |      | Contact DHR           | 0    |              | Contact DHR        | 0     |
|         |      | Contact Total         | 3.00 |              | Contact Total      | 52.50 |
|         |      | Non-contact DHR       | 0    |              | Non-contact DHR    | 0     |

Total Out of Class Hours: 105.00

Total Student Learning Hours: 157.50

Title 5 Category: AA Degree Applicable

Grading: Grade Only

Repeatability: 00 - Two Repeats if Grade was D, F, NC, or NP

Also Listed As:

Formerly: RE 80D

**Catalog Description:**

California real estate law, including rights incident to property ownership and management, agency, contracts, and application to real estate transfer. Conveyancing, probate proceedings, trust deeds, foreclosure, and recent legislation governing real estate transactions. Applies toward educational requirements for the California Real Estate Broker's examination.

**Prerequisites/Corequisites:****Recommended Preparation:**

Course Completion of RE 50

**Limits on Enrollment:****Schedule of Classes Information:**

Description: California real estate law, including rights incident to property ownership and management, agency, contracts, and application to real estate transfer. Conveyancing, probate proceedings, trust deeds, foreclosure, and recent legislation governing real estate transactions. Applies toward educational requirements for the California Real Estate Broker's examination. (Grade Only)

Prerequisites/Corequisites:

Recommended: Course Completion of RE 50

Limits on Enrollment:

Transfer Credit: CSU;

Repeatability: Two Repeats if Grade was D, F, NC, or NP

## **ARTICULATION, MAJOR, and CERTIFICATION INFORMATION:**

|                      |                      |                      |           |
|----------------------|----------------------|----------------------|-----------|
| <b>AS Degree:</b>    | <b>Area</b>          | Effective:           | Inactive: |
| <b>CSU GE:</b>       | <b>Transfer Area</b> | Effective:           | Inactive: |
| <b>IGETC:</b>        | <b>Transfer Area</b> | Effective:           | Inactive: |
| <b>CSU Transfer:</b> | Transferable         | Effective: Fall 1981 | Inactive: |
| <b>UC Transfer:</b>  |                      | Effective:           | Inactive: |

**CID:**

**Certificate/Major Applicable:**

Both Certificate and Major Applicable

## **COURSE CONTENT**

### **Student Learning Outcomes:**

At the conclusion of this course, the student should be able to:

1. Examine and integrate agency, contract, and real property security devices laws into the real estate transaction.
2. Categorize and combine legal instruments required for a binding real estate transaction.
3. Compare and conceive the appropriate estate in real property.
4. Satisfy the California Bureau of Real Estate elective education requirement for the salesperson's and broker's license.

### **Objectives:**

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

1. Summarize the source of our legal system.
2. Determine the laws of agency.
3. Analyze the elements of a valid contract.
4. Compare and contrast the types of contracts used in real estate.
5. Compare and contrast estates in real estate.
6. Examine ownership and contrast ownership interest in real estate.
7. Differentiate instruments/contracts used in real estate and decide when each is used.
8. Evaluate adjacent property rights such as easements, water rights, and nuisance.
9. Analyze the landlord-tenant relationship.

### **Topics and Scope:**

- I. Sources of Law and the Judicial System
  - A. Definition of law
  - B. Influences on our legal and judicial system
  - C. Constitutional and statutory law
  - D. Court structure

- E. Lawsuit procedure
- F. Judicial and non-judicial remedies
- II. Law of Agency
  - A. Agency defined
  - B. Types of agents
  - C. How agencies are created/terminated
  - D. Duties and responsibilities of licenses
- III. Law of Contracts
  - A. Types of contracts - legal instruments
  - B. Contract essentials
  - C. Real estate contracts
    - 1. listings
    - 2. options
    - 3. leases
- IV. Estates in Real Estate and their Relationship to Probate
  - A. Freehold
  - B. Less than freehold
  - C. Ownership
    - 1. tenancy in common
    - 2. joint tenancy
    - 3. community property
    - 4. partnerships
    - 5. interest
- V. Acquisitions and Conveyances
- VI. Real Property Security Devices
  - A. Notes
  - B. Deeds of trusts - foreclosures
  - C. Mortgages
  - D. Liens
- VII. Adjacent Property Rights
  - A. Encroachment
  - B. Nuisance
  - C. Water rights
  - D. Easements
- VIII. Landlord/Tenant Law

**Assignment:**

1. Weekly reading assignments of 15 to 40 pages
2. Analysis of 8 - 15 case studies pertaining to the judicial system, law of agency, law of contracts, estate holdings, acquisitions and conveyances, security devices, property rights and landlord/tenant law
3. Two to eight exams, including final and midterm
4. Provide citations of references to support correct answers

**Methods of Evaluation/Basis of Grade:**

**Writing:** Assessment tools that demonstrate writing skills and/or require students to select, organize and explain ideas in writing.

Case studies and Provide citations of references to support correct answers

Writing  
20 - 50%

**Problem Solving:** Assessment tools, other than exams, that demonstrate competence in computational or non-computational problem solving skills.

None

Problem solving  
0 - 0%

**Skill Demonstrations:** All skill-based and physical demonstrations used for assessment purposes including skill performance exams.

None

Skill Demonstrations  
0 - 0%

**Exams:** All forms of formal testing, other than skill performance exams.

Exams, including final and midterm

Exams  
40 - 70%

**Other:** Includes any assessment tools that do not logically fit into the above categories.

Attendance and participation

Other Category  
5 - 10%

### **Representative Textbooks and Materials:**

California Real Estate Law. 8th ed. Pivar, William and Bruss, Robert. Dearborn Publishing. 2015