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LEG 188.01: Principles of Real Estate

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Syllabus: Principles of Real Estate (LEG 188)

(rev. 1/24/2016)

Spring Semester 2016

Faculty: Thomas W. Trigg

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Phone 406-721-6778

(prerequisite: consent of instructor)

Missoula College

Business Technology Department

Paralegal Studies

Academic Misconduct Statement

Be honest, and never offer someone else's work as your own. Missoula College insists that all students practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The Code is available for review online at: http://www.umt.edu/vpsa/policies/student_conduct.php

Course Description

This is a two credit course. The course provides an overview of real estate law, with a focus on the law in the state of Montana. Topics include the study of property law focusing on the nature and ownership of real property, title insurance, legal descriptions, and the transactional aspects of financing methods involving trust indentures, mortgages, and contracts for deed, with closing and recording procedures. The official catalog course description is available at:

https://webprocess.umt.edu/cyberbear/bwckctlg.p_disp_course_detail?cat_term_in=201530&subj_code_in=LEG&crse_num_in=188T

Required Text and Materials

Roger Bernhardt & Ann Burkhart, *Real Property in a Nutshell* (6th ed.) Other materials will be used as announced or distributed by the instructor, including the Montana statutes governing real estate transactions, Titles 70 and 71, Mont. Code Ann., http://leg.mt.gov/bills/MCA_toc/70.htm; Montana Supreme Court cases, <http://searchcourts.mt.gov/>; and other resources available online.

Course Objectives

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

1. Students will develop an ability to analyze basic legal principles in real

- property law and practical experience increasing, organizing, and completing real estate transactions.
2. Students in the course will develop fundamental skills in real estate, landlord-tenant, and land use law.
 3. Further, students will continue development of drafting skills, legal research, and case analysis.

Course Outline

The course will address topics in real estate as outlined above and in the course plan, which will be provided separately. Most topics will be covered in one class meetings, but some will extend to more than one meeting. During the course, students will produce written work from time to time. The midterm examination and the final examination will each take one class period.

Course Plan

Details about weekly class assignments will appear on the course plan. The instructor may alter the course plan during the semester.

Instructional Methods

A close reading of textual materials is required. Classroom sessions will involve lectures and class discussion. Participation in the discussion is strongly recommended. Students will prepare written homework work throughout the semester, in addition to writing the midterm examination and the final examination. Written work must conform to standard English usage, spelling, punctuation, and grammar. The examinations will be scheduled during regular class sessions. Several quizzes might be given early in the course to afford practice in addressing course issues in writing. The quizzes will not contribute to grades given in the class, but comments, including advisory grades, might be provided to students.

How I Plan to Teach the Course

In each class, we will discuss class readings from the text, court cases, and statutes. We will review homework assignments. Class members should carefully study written materials and prepare written homework before the class begins.

Student Performance Assessment Methods and Grading Procedures

Your final grade in this course will be determined by points earned through your written homework and the midterm and final examinations. These will be graded objectively using of a point allocation system and weight factoring formula. The homework will contribute 20% to your grade. The midterm examination and the final examination will

each contribute 40% to your grade. If you prepare your homework, attend classes, and study the course materials carefully, you are likely to learn the material and do well in the class. If you skimp on your homework, reading, and class attendance, your learning and your grade are likely to suffer, perhaps severely.

Untimely Work. You may submit your homework and examinations late without your grade being reduced as a consequence. You should write the word "Late" prominently at the top of the first page of any homework or examinations that is turned in after its due date. Deposit all late submitted work in the lock box outside the Adjunct Office, AD 14A. All late-submitted work will be graded at the end of the semester. You should not count on having late-submitted work before you have take your final examination. The instructor's comments on late work will be more sparse than those on timely work.

Grades. If you wish, you may keep track of the grades you have received on work that has been returned to you. You can calculate your ongoing average by using the information included in the syllabus and the assignment spreadsheet. If you have questions about why you received a particular grade, contact your instructor.

Grade Scale

A: 100-93%

B: 92-85%

C: 84-77%

D: 76-69%

F: below 69%

Grades falling between integers in the final calculations of grades will be rounded up or down to the nearest integer. Grades falling exactly on the half integer, for instance, 92.5000, will always be rounded up. However, 92.4999 will be rounded down to 92.

Meeting Challenges. If you confront circumstances that make the class challenging, contact the instructor to discuss ways you can improve upon your situation.

Meetings with Instructor

I will be glad to meet with any student outside of class to discuss your work in the course. Please contact me by email, thomas.trigg@umontana.edu, or by phone, 406-721-6778, to schedule a mutually convenient time and place for the meeting.

Disability Accommodations Statement

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Accommodations will be made for students with special needs. If any student requires special consideration for any reason, it is the responsibility of the student to contact the instructor to discuss the matter prior to any situation that might give rise to the special consideration requested. You may also wish to contact Disability Services for Students by email, dss@umontana.edu or by phone, 406-243-2243.

Machines

All law offices rely on computers, smartphones, and similar machines. I encourage you to bring them to class and to use them suitably. Whenever a machine can help you learn and contribute to the class, use it. Whenever the contemplated usage might prompt an irascible senior partner to fire you from a job, don't use it. Treat this class -- and machines -- as an opportunity to learn how to practice your profession.