REAL 4840

Real Estate Law

Fall 2019  
0.5 Credits

# General Course Information

**Instructor Anetta Simpson**

***Email Asimps15@uoguelph.ca***

**Office Location MINS 257**

***Office Hours By appointment***

***Department/School*** Marketing and Consumer Studies

**Class Schedule** Tues : 7 pm – 10 pm

**Room:** Mckinnon 115

**Pre-requisites “9.00 credits including MCS\*1000, REAL1820, REAL 2820**

# Course Description

This course lays out the legal principles which guide the expanding and changing body of law dealing with housing and real estate development and forms of occupancy; statutory and regulatory matters are explored

# Course Learning Outcomes

The learning outcomes for this course include:

* Recognize and use legal terminology correctly. Distinguish between different types and sources of law
* Distinguish and compare different types of property and types of interests in property, and the legal framework for conveyance of interests in property.
* Identify the necessary elements for the formation of a valid contract, differentiating between valid, void, voidable, illegal and unenforceable contracts.
* Understand the scope of contracts in determining the rights of parties to a lease and any limits thereto
* Discuss the fundamentals of ‘tort’ law and its implications
* Explain the mutual right and responsibilities of Principal and Agent and the fiduciary duties owed.

# Course Resources

## Required Text

Real Estate Practice in Ontario (8th edition), Donahue, Quinn and Grandilli

## Other Resources

On-Line Communication etc.

# Course Assessment

## Method and Timing of Evaluation

Your performance will be evaluated based on the following:

Quizzes (4) - 20% ( Will be held at the beginning of class)

Midterm – 40%

Assignment – 40%

# Course Philosophy and Approach

This course is based on an active 12 week semester. Along with discussing the substantive and procedural aspects of real estate transactions, classes will focus on developing the necessity and rationale of the procedural requirements prescribed by legislation. An effective and efficient use of classroom time aims at applying the principles discussed to the practices within real estate, and reinforcing or clarifying what the student has tried to learn on an individual basis. It will be assumed that the student has read the assigned material and made a reasonable effort to participate in class activities and assignments.

# Tentative Course Schedule

| **Class** | **Date** | **Topic** | **Readings** |
| --- | --- | --- | --- |
| 1 | September 10th | Intro to Real Estate Law and Registration Systems | Chapters 1, 2 and 16 |
| 2 | September 17th | Intro to Property Law | Chapters 5,6 and 7 Quiz 1 |
| 3 | September 24th | Property Law contd. | Chapters 8 and 9 |
| 4 | October 1st | Intro to Debt and Security Interests | Chapters 4, 8 and 9 |
| 5 | October 8th | Debt contd. | Chapters 19 and 20 Quiz 2 |
| 6 | October 15th | THANKSGIVING |  |
| 7 | October 22nd | MIDTERM |  |
| 8 | October 29th | Contracts | Chapters 11, 12 and 13 |
| 9 | November 5th | Contracts contd. | Chapters 14 and 15 |
| 10 | November 12th | Intro to Torts | Materials as prescribed and provided  Quiz 3 |
| 11 | November 19th | Intro to Agency | Chapter 10, 13 and 14 |
| 12 | November 26th | Review of Legislative framework affecting Real Estate | Chapter 3  Assignment Due Quiz 4 |

*Note: The schedule of learning activities may require modification from time to time. Any changes will be announced in class and/or on the Courselink.*

# Course Policies

All students are expected to abide by the University’s academic regulations in the completion of their academic work, as set out in the undergraduate calendar (see <http://www.uoguelph.ca/registrar/calendars/undergraduate/current/c08/index.shtml>). Some regulations are highlighted below:

## Academic Misconduct

The University of Guelph is committed to upholding the highest standards of academic integrity and directs all members of the University community – faculty, staff and students – to be aware of what constitutes academic misconduct and to do as much as possible to prevent academic offences from occurring. The University of Guelph takes a serious view of academic misconduct and it is your responsibility as a student to be aware of and to abide by the University’s policy. Included in the definition of academic misconduct are such activities as cheating on examinations, plagiariChapter, misrepresentation, and submitting the same material in two different courses without written permission.

To better understand your responsibilities, read the Undergraduate Calendar at: <http://www.uoguelph.ca/registrar/calendars/undergraduate/current/c08/c08-amisconduct.shtml> You are also advised to make use of the resources available through the Learning Commons (<http://www.learningcommons.uoguelph.ca/>) and to discuss any questions you may have with your course instructor, teaching assistant, Academic Advisor or Academic Counselor.

Students should be aware that faculty have the right to use software to aid in the detection of plagiariChapter or copying and to examine students orally on submitted work. For students found guilty of academic misconduct, serious penalties, up to and including suspension or expulsion from the University can be imposed.

## Academic Consideration

Students who find themselves unable to meet course requirements by the deadline or criteria expected because of medical, psychological or compassionate circumstances beyond their control, should review the regulations on Academic Consideration in the Undergraduate Calendar (<http://www.uoguelph.ca/undergrad_calendar/c08/c08-ac.shtml>) and discuss their situation with the instructor, Program Counsellor or Academic Advisor as appropriate.

## Religious Holidays

Should a student need to miss scheduled tests, mid-term examinations, final examinations, or requirements to attend classes and participate in laboratories for religious reasons, please advise the instructor within two weeks of the distribution of this course outline so that alternate arrangements can be made. For further information see <http://www.uoguelph.ca/registrar/calendars/undergraduate/current/c08/c08-accomrelig.shtml>

# University Grading Scheme

This course follows the University grading scheme outlined in the University Calendar:

|  |  |  |
| --- | --- | --- |
| A+ | 90-100% | **Excellent:** An outstanding performance in which the student demonstrates a superior grasp of the subject matter, and an ability to go beyond the given material in a critical and constructive manner. The student demonstrates a high degree of creative and/or logical thinking, a superior ability to organize, to analyze, and to integrate ideas, and a thorough familiarity with the appropriate literature and techniques. |
| A | 85-89 |
| A- | 80-84 |
| B+ | 77-79 | **Good:** A more than adequate performance in which the student demonstrates a thorough grasp of the subject matter, and an ability to organize and examine the material in a critical and constructive manner. The student demonstrates a good understanding of the relevant issues and a familiarity with the appropriate literature and techniques. |
| B | 73-76 |
| B- | 70-72 |
| C+ | 67-69 | **Acceptable:** An adequate performance in which the student demonstrates a generally adequate grasp of the subject matter and a moderate ability to examine the material in a critical and constructive manner. The student displays an adequate understanding of the relevant issues, and a general familiarity with the appropriate literature and techniques. |
| C | 63-66 |
| C- | 60-62 |
| D+ | 57-59 | **Minimally acceptable:** A barely adequate performance in which the student demonstrates a familiarity with the subject matter, but whose attempts to examine the material in a critical and constructive manner are only partially successful. The student displays some understanding of the relevant issues, and some familiarity with the appropriate literature and techniques. |
| D | 53-56 |
| D- | 50-52 |
| F | 0-49 | **Fail:** An inadequate performance. |

## Code of Conduct – The Top Ten

As a student in the Department of Marketing and Consumer Studies, College of Management and Economics at the University of Guelph, you are a member of a scholarly community committed to improving the effectiveness of people and organizations, and the societies in which they reside, through groundbreaking and engaging scholarship and pedagogy.  We seek to promote a comprehensive, critical and strategic understanding of organizations, including the complex interrelationship between leadership, systems (financial and human) and the broader social and political context.  And, we prepare graduates for leadership roles in which organizational objectives, self-awareness, social responsibility and sustainability are primary considerations.

In keeping with this commitment, we expect all of our students (indeed – all members of our community) to act in a professional and respectful manner to fellow students, staff and faculty, as well as to members of the broader university and local community. This expectation is very much in keeping with your preparation for a professional career.

The following conduct is expected of all of our students:

1. Come to class prepared to learn and actively participate (having completed assigned readings, learning activities etc.).
2. Approach your academic work with integrity (avoid all forms of academic misconduct).
3. Arrive on time and stay for the entire class. If you happen to be late, enter the classroom as quietly as possible. At the end of class, apologize to the faculty member for the interruption. If you have to leave class early, alert the faculty member in advance.
4. If you know in advance that you are going to miss a class, send an email to the faculty member letting him/her know that you will be absent, with a brief explanation.
5. While in class, refrain from using any written material (e.g., newspaper) or technology (e.g., the Internet, computer games, cell phone) that is not relevant to the learning activities of that class. Turn off your cell phone at the start of each class.
6. Listen attentively and respectfully to the points of view of your peers and the faculty member. Don’t talk while others have the floor.
7. Raise your hand when you wish to contribute and wait to be called upon. Challenge others appropriately, drawing on reason and research rather than unsubstantiated opinion, anecdote and/or emotion. Keep an open mind and be prepared to have your point of view challenged.
8. When sending emails to faculty, apply principles of business writing; use a professional and respectful style (use a formal salutation, check for spelling and grammatical errors, and avoid slang and colloquial short forms).
9. When making a presentation, wear business dress.
10. Provide thoughtful feedback at the completion of all courses (we are committed to continuous improvement but need your input to help us decide what to focus on).

# Reviewed and approved by Chair of Department of Marketing and Consumer Studies

MCS\*##### Title

Fall 2019

|  |  |
| --- | --- |
| **Date Submitted to Chair:** |  |
| **Chair Signature (Approval):** |  |
| **Date Approved by Chair:** |  |

**Do not post this page for students or on Course Link**