

**Marketing and Consumer Studies**

**REAL 4840**

**REAL Estate Law**

**Fall 2018**

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**Instructor(s):** Professor James Moon

Email: xiaomoon@rogers.com

Office Hours: By appointment

**Class Times and Location: Monday 7:00pm – 9:50pm MCKN 115**

**Course Description and Objectives:**

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

**Course Materials and Resources:**

The required textbook is: Real Estate practice in Ontario (8th edition), Donahue, Quinn and Grandilli

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**On-Line Communication:**

Include here any comments you would like to make about on-line communication, such as…

* Please post any questions you may have to email listed on the outline.

**Method and Timing of Evaluation:**

Your performance will be evaluated based on the following:

|  |  |  |
| --- | --- | --- |
| **Assignment/Examination** | **Date** | **Marks allocated** |
| Assignment | Oct. 29th | 40% |
| Midterm Exam | November 19 | 60% |

Add information here explaining the philosophy behind your assessment approach as well as any further information you may wish to provide concerning how to successfully complete specific course requirements.

Some policies of note:

* All first and second year courses are to have a final exam
* Make sure that a significant portion of work has been assessed and returned by the 40th class day, to allow students the opportunity to drop the course, if appropriate
* Don’t schedule mid-term exams in the last week of classes
* The Provost has asked us to be judicious in requiring medical notes
* Indicate any penalties for late submission of assignments e.g.,

*Unless you have discussed an extension well ahead of the due date, late penalties of 5%/earned grade/day (including weekends) will be assigned. Extensions will only be granted on the basis of extenuating circumstances.*

* You may wish to include mention for students who are registered with the CSD e.g.,

*If you are registered with the Centre for Students with Disabilities and will require some form of accommodation in the completion of the required learning activities for this course, please meet with me during the first week of classes.*

* You may wish to require students to keep copies of their graded work e.g.,

*Keep a copy of all of your graded work until final marks have been recorded. You may be asked to resubmit your work at any time.*

**Course Philosophy and Approach:**

*The course is based on an active 12-week semester. In our view the most effective and efficient use of classroom time aims at reinforcing or clarifying what the student has tried to learn on an individual basis* ***before*** *entering the classroom. For this reason, it will be assumed that the student has carefully read the assigned material and made a reasonable effort to prepare solutions to the assigned problems* ***PRIOR*** *to the class. These materials will be* ***DISCUSSED*** *in class.*

If you plan to use group work, make your expectations clear, e.g.:

*Through interaction, you will discover for yourself the meaning of concepts, the subtleties inherent in everyday business situations, and the rationales for various solutions to managerial problems. To achieve effective interaction, I have three expectations:*

1. ***Attendance.*** *Because interaction is central, and also because your fellow group members will be relying on you for ideas, I expect you to attend every class. Valid reasons for absence include serious illness and family emergencies. Studying for exams and completing assignments are not valid reasons to miss class.*
2. ***Preparation.*** *You are expected to read assigned material in advance and to be fully prepared for class discussion. You may be called upon to begin the class and to contribute to discussion at any time. Unsupported opinion will not substitute for informed discussion. Adequate preparation is the only way to avoid embarrassment.*

**Course Schedule and Key Dates:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Class** | **Date** | **Topic** | **Pre-Class Activities/Readings** | **In-Class Activities and Assessments** |
| 1 | Sept. 10 | Buying & Selling property in Ontario:  An Overview  Includes a review of Land Registration in Ontario | REQUIRED READING:  Chapters 1, 2 & 17 | Assignment Hand out  Due: October 29th |
| 2 | Sept. 17 | Agreements of Purchase & Sale and Title Searching & Requisitions | REQUIRED READING:  Chapters: 10, 11 &16 |  |
| 3 | Sept. 24 | Planning Act and Subdivision Control  Surveys  Ownership | REQUIRED READING:  Chapters 5 & 6 |  |
| 4 | Oct. 1 | Closing a Transaction | REQUIRED READING:  Chapters 12 & 18 |  |
| 5 | Oct. 8 | Thanksgiving – NO CLASS |  |  |
| 6 | Oct. 15 | Mortgages | REQUIRED READING:  Chapters 19 & 20 |  |
| 7 | Oct. 22 | Condominiums & PPSA | REQUIRED READING:  Chapters 13 & 9 |  |
| 8 | Oct. 29 | Remedies  Estate Conveyancing  Cottages | REQUIRED READING:  Chapters 6 & 15 | **ASSIGNMENT DUE** |
| 9 | Nov. 5 | Special Issues in Conveyancing  New Homes  Commercial & Industrial | REQUIRED READING:  Chapter 14 |  |
| 10 | Nov. 12 | Landlord & Tenant Issues  Title Insurance, Construction Liens, Aboriginal Property Issues | REQUIRED READING:  Chapters 8, 12, pages 280-284 |  |
| 11 | Nov. 19 | MIDTERM |  |  |
| 12 | Nov. 26 | Open Topics |  |  |

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 site.

**Policies and Regulations**

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, plagiarism, 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 plagiarism 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 ground-breaking 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).