



Contract Forms and Addenda

6152-47991 RELE-1200

Spring 2015

April 6 - May 10, 2015

Online / Distance

2 credit hours (2 lecture)- 32 hours per semester

SCANS Competencies Included

INSTRUCTOR: Brandi Downey, MBA

INSTRUCTOR CONTACT INFORMATION:

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OFFICE LOCATION AND HOURS

Please feel free to contact me concerning any problems that you are experiencing in this course. Students should not wait until a poor grade is received to ask for my assistance. Student performance in is very important to me. I am available to hear student concerns and just to discuss course topics. Office hours are upon request.

FINAL EXAM: May 11, 2015 (To be verified)

LAST DAY FOR ADMINISTRATIVE & STUDENT WITHDRAWALS:

Verify in College Schedule Page.

COURSE DESCRIPTION

This course shall focus on Texas Real Estate Contracts and Addenda. We will learn about promulgated and commonly used contract forms. Class discussions shall include but will not be limited to unauthorized practice of law, broker-lawyer committee, current promulgated forms, commission rules governing use forms and case studies involving use of forms.

COURSE PREREQUISITE

Frequent Requisites

- MATH 0306 (Basic Math Pre-Algebra)
- GUST 0341 (7th -9th Grade Reading)
- ENGL 0300 or 0347

Instructional Materials

Instructional Methods

Distance (0%)
Hybrid (0% or more)
Web-enhanced (0%)
Face to Face (100%)

Academic Discipline/CTE Program Learning Outcomes

1. Understand the real estate sales process and identify the appropriate contracts/addenda for each step of the process,
2. Explain the Articles of the Texas Real Estate Commission's "Canons of Professional Ethics".
3. Analyze the disclosure requirements in various real estate situations.
4. Identify the difference between a promulgated real estate contract and a commonly used contract. Be able to discuss the reasons for and benefits of using both
5. Understand the purpose and make-up of the Broker Lawyer Committee
6. Explain the elements of the fiduciary obligation.
7. Be aware of the different real estate property types and how contracts /addenda differ from one property type to another.

Course Student Learning Outcomes (SLO):

1. Describe the Broker-Lawyer Committee, including composition and purpose.
2. Demonstrate that a given action or statement constitutes the unauthorized practice of law and state the penalties for same.
3. Compare and contrast promulgated and approved forms.
4. Assess if the use of a form is within the Texas Real Estate Commission rules for use of forms for a given scenario.
5. Fill in the correct forms for a given scenario.

Learning Objectives (Numbering system should be linked to SLO

1. Describe the Broker-Lawyer Committee, including composition and purpose.

- 1.1 Write a brief paper on the duties and importance of the Broker-Lawyer Committee.

2. Demonstrate that a given action or statement constitutes the unauthorized practice of law and state the penalties for same.

- 2.1. Analyze a real estate business situation and determine if there is any evidence of the unauthorized practice of law.

3. Compare and contrast promulgated and approved forms.

- 3.1. Determine the difference between a promulgated form and an approved form according to the Texas Real Estate Commission.

4. Assess if the use of a form is within the Texas Real Estate Commission rules for use of forms for a given scenario.

- 4.1. Evaluate a case study to determine if the business scenario requires the use of a Texas Real Estate Commission promulgated or approved form.

5. Fill in the correct forms for a given scenario.

- 5.1. Complete the correct contract forms for a specific real estate transaction.

SCANS

The Secretary's Commission on Achieving Necessary Skills (SCANS) from the U.S. Department of Labor was asked to examine the demands of the workplace and whether our young people are capable of meeting those demands. Specifically, the Commission was directed to advise the Secretary on the level of skills required to enter employment. In carrying out this charge, the Commission was asked to do the following:

- Define the skills needed for employment,
- Propose acceptable levels of proficiency,
- Suggest effective ways to assess proficiency, and
- Develop a dissemination strategy for the nation's schools, businesses, and homes.

SCANS research verifies that what we call *workplace know-how* defines effective job performance today. This know-how has two elements: *competencies* and a *foundation*. This report identifies five competencies and a three-part foundation of skills and personal qualities that lie at the heart of job performance. These eight requirements are essential preparation for all students, whether they go directly to work or plan further education. Thus, the competencies and the foundation should be taught and understood in an integrated fashion that reflects the workplace *contexts* in which they are applied.

The five SCANS workplace competencies identified by the Commission are the following:

1. **Resources**—An ability to identify, organize, and allocate time, money, materials, space, and people. Much of what you do in the classroom can help students develop competency with resources. Emphasize planning skills in relation to preparing, working, and completing assignments.
2. **Interpersonal**—Skills to participate as a member of a team, teach others, serve customers, exercise leadership, negotiate, and work with others possessing diverse backgrounds. Cooperative/collaborative learning activities are an effective way to teach interpersonal skills. In discussions after group activities, emphasize interpersonal lessons and challenges of the activities.
3. **Information**—An ability to acquire, organize, evaluate, interpret, and communicate information along with using computers to process information. Competency with information is basic to any classroom. Emphasize those efforts to master information skills prepare students for future employment.
4. **Systems**—An understanding of social, organizational, and technological systems; an ability to monitor and correct performance; a competence in the design and improvement of systems. Look for opportunities for students to use critical thinking skills to identify and analyze systems in their school, community, nation, and world.
5. **Technology**—The knowledge and skill to select equipment and tools, apply technology to specific tasks, and maintain and troubleshoot software and hardware. Although there are many forms of technology that can be used in your class, computers create real interest and opportunities for your students. Encourage your students to make computers an important part of their education, whether the computers are used in self-paced learning or in group projects.

The following skills will be developed in the course:

- Using Resources: Identify—Plan—Manage
- Developing Interpersonal Skills: Collaborate—Negotiate—Lead
- Applying Technology: Select—Apply—Enhance
- Understanding Systems: Connect—Support—Improve
- Acquiring Information: Evaluate—Communicate—Apply

The three SCANS foundation skills identified by the Commission are the following:

Basic Skills—Reading, writing, mathematics, listening, and speaking. classroom activities can develop and reinforce all these basic skills. Teaching these skills in the classroom can provide cross-curricular opportunities.

Thinking Skills—Creative thinking, decision-making, and problem solving, seeing things in the mind’s eye, knowing how to learn, and reasoning. During their careers, students will need this foundation to adapt to a rapidly changing society. Helping students to think critically becomes very important so that they may adjust to change. Seek opportunities for students to stretch their minds, find new answers, ask hard questions, and lay foundations for lifelong learning.

Personal Qualities—Responsibility, self-esteem, sociability, self-management, and integrity. Throughout their lives, your students will need to get along with others: with classmates, friends and family, customers, and coworkers. Look for chances to reinforce good personal qualities. And remember the power of teaching by example.

WEEKLY SCHEDULE OF ASSIGNMENTS

	<p>Class Introduction</p> <p>Discussion: In the group form, every student should introduce themselves by answering the following</p> <ol style="list-style-type: none"> 1. What’s your name, where are you from, what are you doing currently, and what have you been doing for the last year or so. 2. Why are you in this class? Are you getting a real estate certification or are you just interested in real estate? 3. What do you hope to learn in this class? 4. Do you have any real estate experience? If so, tell us about it. 5. If you plan to be involved in real estate professionally or as an investor in the future, please share your real estate goals. <p>Ask each other questions</p> <p>Ask the professor questions.</p> <p>Homework: Read Chapters 1-5.....feel free to ask questions as you read along</p>
Week beginning 4/6	<p>Quiz #1: (Questions to be uploaded by professor)</p> <p>Discussion: In a real estate transaction, it is not always clear whether an interior item (such as the refrigerator, curtains, blinds, ceiling fans, or a chandelier) will remain in the house after its sold. Discuss why this is so tricky and what the rules state. Please give examples of permanently installed items, improvements, and accessories in your discussion. Explain what stays , what goes, and why. Explain what TREC forms to complete if you represent a buyer who wants to keep some items that are not normally included.</p> <p>Ask an Expert: Review the LinkedIn profile for Armistead Burkes. https://www.linkedin.com/pub/armistead-burks/2/40/517 He works in the commercial real estate division for Chevron, and he develops multi-unit townhouse communities on his own. Come up with 2-3 questions for Mr. Burkes.</p> <p>Homework: Read Chapters 6-10.....feel free to ask questions as you read along</p>

<p>Week beginning 4/13</p>	<p>Article #1 Due</p> <p>Quiz #2 (Questions to be uploaded by professor)</p> <p>Discussion 1: Explain why inspections are so important. Explain what happens during a home inspection and who performs a home inspection. What happens if a home “fails” inspection? Does that mean that the buyer can’t buy the home? Are there other options?</p> <p>Discussion 2: Explain the closing process. Explain what “closing” means, and who performs the closing. What happens to unpaid taxes and liens at closing?</p> <p>Ask an Expert: Review the LinkedIn profile for Omar Lopez. https://www.linkedin.com/pub/omar-d-lopez/53/574/b96 Omar is a Vice President at Jones Lang LaSalle and has many years of experience in real estate finance. Come up with 2-3 questions for Mr. Lopez about his company, his experience, and real estate finance in general.</p> <p>Homework: Read Chapter 11-17.....feel free to ask questions as you read along</p>
<p>Week beginning 4/20</p>	<p>Article #2 Due</p> <p>Quiz #3 (Questions to be uploaded by professor)</p> <p>Discussion 1: Explain what is meant by “seller contribution”. Are sellers contributions ever limited? If so, by whom? What are some typical buyers expenses?</p> <p>Discussion 2: Explain the different types of financing/lending and the differences (pros/cons) between these different types of financing.</p> <p>Case Study Practice</p> <p>Homework: Read Chapters 18-24.....feel free to ask questions as you read along</p>
<p>Week beginning 4/27</p>	<p>Quiz #4 (Questions to be uploaded by professor)</p> <p>Discussion: Discuss the purpose of the Termination or Option Period. Is the Termination Option automatically granted in every contract? If not, what do you have to do to receive one? What happens if the buyer notices a lot of repairs that need to be done during the Option Period? What happens to Earnest Money after the Option Period?</p> <p>Case Studies Assigned</p>
<p>Week beginning 5/4</p>	<p>Case Studies Due Final Exam Review</p>
<p>TBD</p>	<p>FINAL EXAM</p>

Student Evaluation The following departmental grading system will be used to evaluate student's performance in this course:

Grading System	
Participation	20%
Article Review	20%
Quizzes	20%
Case Study	20%
Final	20%
TOTAL	100%

Participation- 20%

Each student is expected to have read the assigned text before class each day. During class we will discuss various topics that relate to the text. The topics can range from current events to examples within text book. Each student is expected to contribute **meaningfully** to the in-class conversation. The professor will take most notice of a student who contributes in a way that expands the perspective of other students.

Article Review- 20%

Each student will select 2 articles related to class topics, and will turn in a paper (2 pages max) that summarizes, analyzes, and relates the article back to the concepts covered in class. The article can come from any national, international or local publication. Students can find their own articles or use one of these:

<http://swamplot.com/a-sextet-of-water-damaged-first-ward-townhomes-leads-to-lawsuit-against-urban-living-2-building-companies/2014-12-03/>

<http://www.chron.com/news/politics/houston/article/City-nets-300-000-settlement-for-illegal-tree-5898757.php>

<http://dailyproperties.com/enduring-ethics-real-estate-code-conduct/>

<http://setexasrecord.com/news/302407-couple-accuses-real-estate-firm-of-breach-fraud>

<http://setexasrecord.com/news/302410-condo-group-sues-property-owners-in-lien-dispute>

<http://swamplot.com/the-glass-popping-lawsuit-at-2727-kirby/2011-03-21/>

<http://www.cnet.com/news/worlds-first-3d-printed-apartment-building-constructed-in-china/>

<http://realtormag.realtor.org/law-and-ethics/law/article/2000/03/top-10-legal-issues-facing-brokers>

Quizzes -20%

The professor will give quizzes throughout the semester. Students can always be prepared for a quiz by reading the assigned text. Quizzes cannot be made up.

Case Study - 20%

Students will have the chance to apply what they have learned by responding to a case study. The case study will provide a hypothetical real estate scenario and students should completing the appropriate contract and addenda according to the scenario.






Final- 20%

The final will be comprehensive. **NO MAKE-UP FINAL WILL BE GIVEN.**

INSTRUCTOR REQUIREMENTS

As student Instructor, it is my responsibility to:

Provide the grading scale and detailed grading formula explaining how student grades are to be derived

-  Facilitate an effective learning environment through class activities, discussions, and lectures
-  Description of any special projects or assignments
-  Inform students of policies such as attendance, withdrawal, tardiness and make up
-  Provide the course outline and class calendar which will include a description of any special projects or assignments
-  Arrange to meet with individual students before and after class as required

To be successful in this class, it is the student's responsibility to:

- ❖ Attend class and participate in class activities
- ❖ Read and comprehend the textbook
- ❖ Complete the required assignments and exams on time:
- ❖ Ask for help when there is a question or problem
- ❖ Complete the field study with a 70% passing score

PROGRAM/DISCIPLINE REQUIREMENTS

Business Administration is determined to prepare students with the knowledge and skills needed to succeed in today's dynamic work environment. Students in Introduction to Business must be able to budget their time and perform class-related activities as assigned on a weekly basis. Opportunities are provided for students to recognize the important role personal qualities play in the business environment and activities have been enhanced to help students develop the attitudes and interpersonal skills that are in demand by employers.

Degree Plan

Students are encouraged to file a degree plan with a Counselor or the Business Administration Department for the certificate and/or degree plan. Please ask your instructor for Degree Plan information or contact the Business Administration Department for information about filing a degree plan.

Virtual Career Center

The Virtual Career Center assist HCC Students and Alumni with career planning, assessments, job search and soft-skills training. Orientations and registration are available at all Southwest College Campuses.

<http://www.hccs.edu/hccs/current-students/career-planning-and-resources/southwest-college>

HCCS GRADING

A = 100- 90	4 points per semester hour
B = 89 - 80:	3 points per semester hour
C = 79 - 70:	2 points per semester hour
D = 69 - 60:	1 point per semester hour
59 and below = F	0 points per semester hour
IP (In Progress)	0 points per semester hour
W(Withdrawn)	0 points per semester hour
I (Incomplete)	0 points per semester hour
AUD (Audit)	0 points per semester hour

IP (In Progress) is given only in certain developmental courses. The student must re-enroll to receive credit. COM (Completed) is given in non-credit and continuing education courses. To compute grade point average (GPA), divide the total grade points by the total number of semester hours attempted. The grades "IP," "COM" and "I" do not affect GPA.

For Health Science programs, see the Program/Discipline Requirements section for specific grading requirements.

HCC Policy Statement:

Access Student Services Policies on their Web site:

<http://hccs.edu/student-rights>

EGLS3 -- Evaluation for Greater Learning Student Survey System

At Houston Community College, professors believe that thoughtful student feedback is necessary to improve teaching and learning. During a designated time near the end of the term, you will be asked to answer a short online survey of research-based questions related to instruction. The anonymous results of the survey will be made available to your professors and department chairs for continual improvement of instruction. Look for the survey as part of the Houston Community College Student System online near the end of the term.

Distance Education and/or Continuing Education Policies

Access DE Policies on their Web site:

http://de.hccs.edu/Distance_Ed/DE_Home/faculty_resources/PDFs/DE_Syllabus.pdf

Access CE Policies on their Web site:

<http://hccs.edu/CE-student-guidelines>

Student Services

INTERNATIONAL STUDENTS

International Students are restricted to ONLY ONE online/distance education class per semester. Please contact the International Student Office at 713-718-8520 if you have additional questions about your visa status.

STUDENTS WITH DISABILITIES

Any student with a documented disability (e.g. physical, learning, psychiatric, vision, hearing, etc) who needs to arrange reasonable accommodations must contact the appropriate HCC Disability Support Service (DSS) Counselor at the beginning of each semester. Faculty is authorized to provide only the accommodations requested by the Disability Support Services Office.

Students who are requesting special testing accommodations must first contact the appropriate (most convenient) DSS office for assistance:

Disability Support Services Offices:

System: 713.718.5165

Central: 713.718.6164 also for Deaf and Hard of Hearing Services and Students Outside of the HCC District service areas.

Northwest: 713.718.5422

Northeast: 713.718.8420

Southeast: 713.718.7218

Southwest: 713.718.7909

After student accommodation letters have been approved by the DSS office and submitted to DE Counseling for processing, students will receive an email confirmation informing them of the Instructional Support Specialist assigned to their professor.

HCC ATTENDANCE POLICY

Class Attendance

As stated in the HCC Catalog, all students are expected to attend classes regularly. Students in DE courses must log in to their class or they will be counted as absent. Just like an on-campus class, your regular participation is required.

Although it is the responsibility of the student to drop a course for non-attendance, the instructor also has the authority to block a student from accessing Blackboard, and/or to drop a student for excessive absences or failure to participate regularly. DE students who do not log in to their class before the Official Day of Record will be AUTOMATICALLY dropped for non-attendance. Completing the DE online orientation does not count as attendance.

Early Alert

HCC has instituted an Early Alert process by which your professor may alert you and DE counselors that you might fail a class because of excessive absences and/or poor academic performance.

ONLINE TUTORING



HCC provides free online tutoring in writing, math, science, and other subjects. How to access AskOnline: Click on the Ask Online button in the upper right corner of the Blackboard course listings page. This directs students to the HCC AskOnline Tutoring site: <http://hccs.askonline.net/>. Use your student ID or HCC e-mail address to create an account. Instructions, including a 5-minute video, are provided to make you familiar with the capabilities of this service.

ACADEMIC DISHONESTY

You are expected to be familiar with the College's Policy on Academic Honesty, found in the catalog and student handbook. Students are responsible for conducting themselves with honor and integrity in fulfilling course requirements. Penalties and/or disciplinary proceedings may be initiated by College System officials against a student accused of scholastic dishonesty. Scholastic dishonesty: includes, but is not limited to, cheating on a test, plagiarism, and collusion.

Cheating on a test includes:

- Copying from another student's test paper;

- Using materials not authorized by the person giving the test;
- Collaborating with another student during a test without authorization;
- Knowingly using, buying, selling, stealing, transporting, or soliciting in whole or part the contents of a test that has not been administered;
- Bribing another person to obtain a test that is to be administered.

Plagiarism means the appropriation of another's work and the unacknowledged incorporation of that work in one's own written work offered for credit.

Collusion means the unauthorized collaboration with another person in preparing written work offered for credit. Possible punishments for academic dishonesty may include a grade of 0 or F in the particular assignment, failure in the course, and/or recommendation for probation or dismissal from the College System. (See the Student Handbook).

Academic dishonesty can result in a grade of **F** or **0** for the particular test or assignment involved, dropped, and/or expelled from HCCS. Please refer to the HCCS Distance Education Student Handbook- (for further information regarding Academic Dishonesty refer to http://distance.hccs.edu/de-counseling/DE_student_handbook.htm).

CLASSROOM BEHAVIOR

As instructor and as a student in this class, it is our shared responsibility to develop and maintain a positive learning environment for everyone. Instructor takes this responsibility very seriously and will inform members of the class if their behavior makes it difficult for him/her to carry out this task. As a fellow learner, students are asked to respect the learning needs of student classmates and assist student instructor achieve this critical goal.

NOTE TO STUDENT:

If you have any questions or concerns about the course and/or course assignments, please come to me so that we can resolve any issues. If your concerns are not resolved, you are encouraged to meet with [Mr. Frank Ortiz, Department Chair](#), at 713-718-7228, Southeast College Workforce Education.