

Real Estate
Course Number: 29:851:350
Course Title: Real Estate Law

COURSE DESCRIPTION

This course is intended to provide a broad understanding of the legal issues surrounding the ownership, transfer, use and development of real estate. While many traditional real property law concepts will be covered in the course, the course is intended to introduce the student to the transactional aspects of the real estate business, including acquisition, disposition, development, investment, management, leasing, tax implications and negotiations. Real Estate transactions draw upon a vast array of laws and regulations – property law, contract law, land-use law, environmental law, securities law, constitutional law, corporate law, bankruptcy law, insurance law, and tax law. The student will be exposed to all of these areas during the course of the semester.

The overall objective of the course is to enable you to recognize and evaluate legal principles and issues in order to guide your decision-making process with respect to real estate, whether as a business executive, an entrepreneur, or in your personal life. This course is not intended to make lawyers out of business students.

The course will be taught through a combination of in-class lectures by the instructor as well as guest lectures by professionals with recognized expertise in relevant areas of real estate law. Several lectures will be dedicated to the presentation and review of specific types of legal agreements, such as a commercial lease and a purchase and sale agreement.

COURSE MATERIALS

The primary text for the course is *Real Estate Law*, by Marianne M. Jennings, Eleventh Edition 2014. Additional materials will be provided through Canvas in connection with specific class sessions. The book can be purchased or rented from the Bookstore thru this link, which provides various purchase and rental options. Be sure to purchase the most current version of the book, which is the 11th Edition.

ISBN for the book is ISBN-13: 978-1-305-579910.

You can order the e-book version from Cengage, the publisher, for \$37.49. Go to Cengage.com. The ISBN for the e-book version is ISBN13: 978-133-7334433

Here are a few other resources for renting or purchasing used or e-book versions of the text:

Amazon - <https://www.amazon.com/books-used-books-textbooks>

Chegg - <https://www.chegg.com/books>

I will be using Canvas (<https://canvas.rutgers.edu>) for all things related to this class -- assignments, quizzes, announcements, and classroom presentation materials. You are expected to check Canvas and your official Rutgers email account regularly, and please be sure to check the appropriate boxes so that you can receive announcements and other materials as soon as they are available.

In this course you will be expected to complete a number of tasks including:

- downloading and uploading documents to the LMS
- accessing documents online
- viewing online videos
- participating in online discussion groups
- completing quizzes/proctored tests online
- uploading documents to Box
- participating in synchronous online discussions
- using Grammarly prior to submissions

Students should be able to download most needed software from RU software portal: <https://it.rutgers.edu/software-portal/>

LEARNING GOALS AND OBJECTIVES

In this course, students will:

- Learn the important role the legal profession plays in almost every real estate transaction and how to prudently select legal counsel;
 - Learn how legal issues impact and shape the typical real estate transaction;
 - Be exposed to many of the laws and regulations that impact the real estate investment industry, including finance, land-use, tax, affordable housing, corporate, constitutional, and bankruptcy;
 - Learn the principles of both equity and debt investment;
 - Develop the skills necessary to identify potential legal issues before they arise in acquisitions, sales, finance, redevelopment, and other real estate transactions;
 - Learn the core principles of landlord/tenant, land use, redevelopment, real estate finance, tax, brokerage, affordable housing, and contract law.
 - Ethics will be covered as a general focus throughout the semester in connection with specific materials and topics.
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PREREQUISITES

There are no prerequisites to this course.

ACADEMIC INTEGRITY

I do NOT tolerate cheating. Students are responsible for understanding the RU Academic Integrity Policy (<http://academicintegrity.rutgers.edu/>)

I will strongly enforce this Policy and pursue *all* violations. On all examinations and assignments, students must sign the RU Honor Pledge, which states, “On my honor, I have neither received nor given any unauthorized assistance on this examination or assignment.” I will screen all written assignments through *SafeAssign* or *Turnitin*, plagiarism detection services that compare the work against a large database of past work. Don’t let cheating destroy your hard-earned opportunity to learn. See business.rutgers.edu/ai for more details.

PARTICIPATION AND PREPARATION POLICY

Since participation is such a big part of your grade, attendance is necessary in order to successfully complete this course. I will be at every class and I expect the same of you. Absences will be excused only in the case of documented serious illness, family emergency, religious observance, or civic obligation, with advance notice. If I am to be absent, I will send you an Announcement in Canvas as far in advance as possible. If you are to be absent, send me a note in advance.

A significant part of the learning experience will be driven by classroom discussion, and hopefully you will learn much from both my experience and the experience of the guest speakers presenting in class. By missing a class, you will be depriving yourself of the bulk of the learning experience, especially due to the expected interaction among students, guest lecturers, and me. If you must miss a class, however, it is your responsibility to find out what material was covered in class and to gain an understanding of that material prior to the next lecture.

Expect me to prepare properly for each class session. I expect the same of you. Complete all background reading and assignments. You cannot learn if you are not prepared. The minimum expectation is that for each 1.5 hour class session, you have prepared by studying for at least twice as many hours.

Expect me to participate fully in each class session. I expect the same of you. Stay focused and involved. You cannot learn if you are not paying attention. Your active participation helps me to evaluate your overall performance and comprehension of the material. As you can see below, 20% of your grade will be based on classroom participation. Examples of constructive contributions to classroom discussion include:

- providing strong evidence of having read and digested the assigned material
- contributing insightful comments and/or questions
- responding to questions from the professor
- listening to your peers’ comments and/or questions and, if appropriate, adding to the discussion
- listening attentively in class

- volunteering to cover cases and other special topics

If necessary to advance a discussion, students will be called upon randomly.

CLASSROOM CONDUCT AND PARTICIPATION

Please do your best to stay engaged and participate in the classroom discussion – I will do my best to engage you. Cell phones can be a distraction to you, so I suggest putting them away during class. In addition, your professor and all guest lecturers warrant your undivided attention, and it is rude, highly distracting, and quite obvious to your professor and/or the guest speakers when you use these devices during class to conduct other business and personal matters.

I am very punctual and expect the same of each student. Students who arrive late will miss important material, disrupt the rest of the class, and disrespect the other students who have arrived on time. All students are expected to stay for the full class, as each class is designed to cover a stated amount of material. If you must leave earlier, please let me know ahead of time.

EXAM DATES, PROCEDURES, AND GRADING POLICY

Your grades will be determined by the following factors:

- **Quizzes/Homework/Assignments:** Quizzes/homework will account for **20%** of your final grade.
- **Exam(s):** The Mid-Term and the Final Exams will each account for **30%** of your final grade.
- **Class participation:** Class participation will account for **20%** of your final grade.

There will be a Mid-term and a Final Exam. The Final Exam will be non-cumulative. Each of the exams will cover topics addressed in the assigned reading as well as discussed in classroom sessions. A make-up exam will be allowed only if I am notified prior to the scheduled exam date and the appropriate documentation is provided. Anyone missing a quiz or exam without such notification will receive no credit for the exam and will not be given a make-up.

A quiz will be given at the end of most of the class sessions, time permitting, or provided as a take-home quiz to be returned the following session. The quizzes are designed to test your understanding of the assigned reading material for that week, and help to prepare for the Mid-term and Final exams. There may also be “extra credit” opportunities.

During exams, the following rules apply: *[this section will be updated]*

- If you have a disability that influences testing procedures, provide me an official letter from the Office of Disability Services at the start of the semester.
- No cell phones or other electronics, other than your laptop/Ipad, are allowed in the testing room.
- Use the bathroom prior to the exam start; bathroom breaks, if essential, will be by permission only.

- Your exam will not be accepted unless you sign the Honor Pledge.

This course requires online proctored exams using the ProctorTrack system. Proctortrack is a student verification tool, which provides oversight during tests similar to a human proctor in a face-to-face course. Facial recognition software tracks student movement during the exam period, and generates a report for the instructor, flagging any behavior that may violate academic integrity, such as consulting notes, searching online for answers, or consulting with another person during the exam. Please ensure that you follow all requirements to complete the onboarding, as well as the guidelines for the actual exams. Proctortrack will be used for some quizzes and both the mid-term and the final exam.

Assignments and quizzes will be submitted, graded and returned thru Canvas. I generally return graded material the week after it's been turned in; Final grades will be posted on REGIS. Your final grade is not subject to negotiation. If you feel I have made an error, submit your written argument to me within one week of receiving your final grade. Clarify the precise error I made and provide all due supporting documentation. If I have made an error, I will gladly correct it. But I will adjust grades only if I have made an error. I cannot and will not adjust grades based on consequences, such as hurt pride, lost scholarships, lost tuition reimbursement, lost job opportunities, or dismissals. Do not ask me to do so. It is dishonest to attempt to influence faculty in an effort to obtain a grade that you did not earn.

SUPPORT SERVICES

If you need accommodation for a *disability*, obtain a Letter of Accommodation from the Office of Disability Services. The Office of Disability Services at Rutgers, The State University of New Jersey, provides student-centered and student-inclusive programming in compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments of 2008, Section 504 of the Rehabilitation Act of 1973, Section 508 of the Rehabilitation Act of 1998, and the New Jersey Law Against Discrimination. More information can be found at ods.rutgers.edu.

[Rutgers University-New Brunswick ODS phone (848)445-6800 or email dsoffice@echo.rutgers.edu]

[Rutgers University-Newark ODS phone (973)353-5375 or email ods@newark.rutgers.edu]

If you are *pregnant*, the Office of Title IX and ADA Compliance is available to assist with any concerns or potential accommodations related to pregnancy.

[Rutgers University-New Brunswick Title IX Coordinator phone (848)932-8200 or email jackie.moran@rutgers.edu]

[Rutgers University-Newark Office of Title IX and ADA Compliance phone (973)353-1906 or email TitleIX@newark.rutgers.edu]

If you seek **religious accommodations**, the Office of the Dean of Students is available to verify absences for religious observance, as needed.

[Rutgers University-New Brunswick Dean of Students phone (848)932-2300 or email deanofstudents@echo.rutgers.edu]

[Rutgers University-Newark Dean of Students phone (973)353-5063 or email DeanofStudents@newark.rutgers.edu]

If you have experienced any form of **gender or sex-based discrimination or harassment**, including sexual assault, sexual harassment, relationship violence, or stalking, the Office for Violence Prevention and Victim Assistance provides help and support. More information can be found at <http://vpva.rutgers.edu/>.

[Rutgers University-New Brunswick incident report link: <http://studentconduct.rutgers.edu/concern/>. You may contact the Office for Violence Prevention and Victim Assistance at (848)932-1181]

[Rutgers University-Newark incident report link: https://cm.maxient.com/reportingform.php?RutgersUniv&layout_id=7 . You may also contact the Office of Title IX and ADA Compliance at (973)353-1906 or email at TitleIX@newark.rutgers.edu. If you wish to speak with a staff member who is confidential and does **not** have a reporting responsibility, you may contact the Office for Violence Prevention and Victim Assistance at (973)353-1918 or email run.vpva@rutgers.edu]

If students who have experienced a temporary condition or injury that is adversely affecting their ability to fully participate, you should submit a request via <https://temporaryconditions.rutgers.edu> .

If you are a military **veteran** or are on active military duty, you can obtain support through the Office of Veteran and Military Programs and Services. <http://veterans.rutgers.edu/>

If you are in need of **mental health** services, please use our readily available services.

[Rutgers University-Newark Counseling Center: <http://counseling.newark.rutgers.edu/>]

[Rutgers Counseling and Psychological Services–New Brunswick: <http://rhscaps.rutgers.edu/>]

If you are in need of **physical health** services, please use our readily available services.

[Rutgers Health Services – Newark: <http://health.newark.rutgers.edu/>]

[Rutgers Health Services – New Brunswick: <http://health.rutgers.edu/>]

If you are in need of *legal* services, please use our readily available services: <http://rusls.rutgers.edu/>

Students experiencing difficulty in courses due to *English as a second language (ESL)* should contact the Program in American Language Studies for supports.

[Rutgers–Newark: PALS@newark.rutgers.edu]

[Rutgers–New Brunswick: eslpals@english.rutgers.edu]

If you are in need of additional *academic assistance*, please use our readily available services.

[Rutgers University-Newark Learning Center: <http://www.ncas.rutgers.edu/rlc>

[Rutgers University-Newark Writing Center: <http://www.ncas.rutgers.edu/writingcenter>]

[Rutgers University-New Brunswick Learning Center: <https://rlc.rutgers.edu/>]

[Optional items that many faculty include:

- Students must sign, date, and return a statement declaring that they understand the RU Academic Integrity Policy.

- Students must sign, date, and return a statement declaring that they understand this syllabus.]