

El Paso Community College

Syllabus

Part II

Official Course Description

SUBJECT AREA	<u>Business Management</u>
COURSE RUBRIC AND NUMBER	<u>RELE 1311</u>
COURSE TITLE	<u>Law of Contracts</u>
COURSE CREDIT HOURS	<u>3 3 : 0</u> Credits Lec Lab

I. Catalog Description

Discusses the elements of a contract, offer and acceptance, statute of frauds, specific performance and remedies for breach, unauthorized practice of law, commission rules relating to use of adopted forms, and owner disclosure requirements. **3:0.**

II. Course Objectives

- A. Unit I. Texas Real Estate Commission Rules and Regulations
 - 1. Explain when each promulgated contract form is required to be used and the specific exceptions as stated in the Texas Real Estate Act (TRELA).
 - 2. State the requirements of the Statutes of Fraud as they relate to the real estate professional.
 - 3. List the elements necessary to complete an enforceable contract.
 - 4. Discuss the limitations that are placed on the real estate professional to avoid the unauthorized practice of law.

- B. Unit II. Negotiations and Breach of Contract
 - 1. Explain the meaning of:
 - a. Offer to purchase.
 - b. Acceptance of an offer.
 - c. Delivery and acceptance of the negotiated contract.
 - 2. List the remedies for breach of contract by seller and buyer.

- C. Unit III. Real Estate Promulgated Contract and Addenda
 - 1. Explain the requirement for completion of the Seller's Disclosure of Property Condition form.
 - 2. Properly complete the Seller's Disclosure of Property Condition form.
 - 3. Prepare and explain a Net to Seller form.
 - 4. Complete the 1-4 Family Residential Contract (Resale)/(TREC 20-8) Conventional Financing.
 - 5. Complete the 1-4 Family Residential Contract (Resale)/(TREC 20-8) FHA or VA Guaranteed Financing.
 - 6. Determine the requirement for using and correctly completing the VA Release of Liability/Restoration of Entitlement (Assumption of Loan Contract) (TREC Addendum 12-2).
 - 7. Complete the following contracts based on situations provided by the instructor.
 - a. Unimproved Property Contract (TREC 9-7).
 - b. New Home Contract (Incomplete Construction)/(TREC 23-8).
 - c. New Home Contract (Completed Construction)/(TREC 24-8).
 - d. Residential Condominium Contract Resale (TREC 30-7).

8. Determine the requirement and situation for using and correctly completing the addenda listed below:
 - a. TREC 10-5 Sale of Other Property by Buyer.
 - b. TREC 11-6 Second or “Back-up” Contract.
 - c. TREC 12-2 Release of Liability on Assumption of Conventional, FHA, or VA loans. Restoration of seller’s entitlement for a VA guaranteed loan.
 - d. TREC 15-4 Seller’s Temporary Residential Lease.
 - e. TREC 16-4 Buyer’s Temporary Residential Lease.
 - f. TREC 26-5 Seller Financing.
 - g. TREC 28-1 Environmental Assessment, Threatened or Endangered Species and Wetlands Addendum.
 - h. TREC 36-5 Addendum for Property Subject to Mandatory Membership in an Owner’s Association.
 - i. TREC 40-3 Third Party Financing Condition Addendum.
 - j. TREC 41-1 Loan Assumption Addendum.

III. THECB Learning Outcomes (WECM)

1. Discuss the elements of a contract.
2. Differentiate the legal effects of a contract.
3. Describe the statute of frauds and remedies of breach.
4. Identify practices that would constitute unauthorized practice of law.
5. Examine the owner disclosure requirements.

IV. Evaluation

A. Class Grading:

1. Attendance10%
2. Quizzes30%
3. Exams60%

There will be a minimum of three major exams during the course. **Students must take the final exam to pass the course.**

B. Grade Schedule:

- A 90-100
 B 80-89
 C 70-79
 D 60-69
 F 59 and below

V. Disability Statement (American with/Disabilities Act [ADA])

EPCC offers a variety of services to persons with documented sensory, mental, physical, or temporary disabling conditions to promote success in classes. If you have a disability and believe you may need services, you are encouraged to contact the Center for Students with Disabilities to discuss your needs with a counselor. All discussions and documentation are kept confidential. Offices located: VV Rm C-112 (831-2426); TM Rm 1400 (831-5808); RG Rm B-201 (831-4198); NWC Rm M-54 (831-8815); and MDP Rm A-125 (831-7024)

VI. 6 Drop Rule

Students who began attending Texas public institutions of higher education for the first time during the Fall 2007 semester or later are subject to a 6-Drop limit for all undergraduate classes. Developmental, ESL, Dual Credit and Early College High School classes are exempt from this rule. All students should consult with their instructor before dropping a class. Academic assistance is available. Students are encouraged to see Counseling Services if dropping because exemptions may apply. Refer to the EPCC catalog and website for additional information.