

El Paso Community College
Syllabus
Part II
Official Course Description

SUBJECT AREA	<u>Real Estate</u>
COURSE RUBRIC AND NUMBER	<u>RELE 1300</u>
COURSE TITLE	<u>Contract Forms and Addenda</u>
COURSE CREDIT HOURS	<u>3 3 : 0</u> Credits Lec Lab

I. Catalog Description

Discusses Promulgated Contract Forms, which shall include but is not limited to unauthorized practice of law, broker-lawyer committee, current promulgated forms and approved forms, commission rules governing use of forms and case studies involving use of forms. **(3:0)**.

II. Course Objectives

Upon satisfactory completion of this course, the student will be able to:

- A. Unit I. Texas Real Estate Contract Law Overview
 - 1. Summarize the Texas Real Estate License Act.
 - 2. Describe the six elements of a valid contract.
 - 3. Identify the difference between valid, void, unenforceable, and voidable contracts.
 - 4. Explain that reasonable time vs. time is of the essence as it pertains to contracts.
 - 5. Distinguish between the performance of a contract and the breach of a contract.

- B. Unit II. Laws, Rules, and Regulations
 - 1. Explain the functions and duties of the Texas Real Estate Commission.
 - 2. Describe the unauthorized practice of law and the function of the Broker-Lawyer Committee.
 - 3. Discuss the use of promulgated contract forms.
 - 4. Explain the steps involved in an offer becoming a contract.

- C. Unit III. Parties, Property, and the Money
 - 1. Identify the proper promulgated contract form to use to clearly define the details of a particular transaction.
 - 2. Distinguish among the paragraphs used for information about the parties, the property, and the money.
 - 3. Explain the use of and particulars about the Third-Party Financing Addendum.

- D. Unit IV. Covenants, Commitments, and Notices
 - 1. Properly complete the paragraph that deals with Earnest Money.
 - 2. Explain title policy, commitment, and survey.
 - 3. Properly complete a Seller’s Disclosure of Property Condition Form.

- E. Unit V. Closing and Possession
 - 1. Prepare and explain a “Net to Seller” Form.
 - 2. Explain the closing of a real estate transaction.
 - 3. Describe the choices available related to possession and contrast the types of temporary residential leases.
 - 4. Discuss settlement expenses and proration of the items subject to proration.

- F. Unit VI. The Remaining Promulgated Forms
 - 1. Complete New Home promulgated contract forms.
 - 2. Describe the many differences in a promulgated Farm and Ranch contract form.
 - 3. Complete a promulgated Unimproved Property contract.
 - 4. Explain real estate fraud and how to implement risk management.

- G. Unit VII. Promulgated Addenda and Other Forms
 - 1. Explain the use and application of various promulgated addenda.
 - 2. Determine the requirement and choice for using and correctly completing the addenda listed below:
 - a. TREC 10-6 Sale of Another Property by Buyer.
 - b. TREC 11-7 Second or “Back-up” Contract.
 - c. TREC Release of Liability on Assumption of Conventional, FHA, or VA Loans.
 - d. TREC 15-5 Seller’s Temporary Residential Lease
 - e. TREC 16-5 Buyer’s Temporary Residential Lease
 - f. TREC 26-6 Seller Financing
 - g. TREC 28-2 Environmental Assessment, Threatened or Endangered Species, and Wetlands Addendum
 - h. TREC 36-7 Addendum for Property Subject to Mandatory Membership in an Owner’s Association
 - i. TREC 40-5 Third-Party Financing Condition Addendum
 - j. TREC 41-2 Loan Assumption Addendum
 - k. TREC 45-1 Short Sale Addendum
 - l. TREC OP-L Lead-Based Paint Addendum

- H. Unit VIII. Other Real Estate Matters
 - 1. Describe the process of fraud involved in the sale of a property.
 - 2. Explain the separate agreements regarding broker fees and MLS listing.
 - 3. Summarize the Fair Housing Act regarding the protected groups under local, state, and federal laws.

- I. Unit IX. Practice Makes Perfect
 - 1. Utilizing the different transactions, apply the appropriate forms to be used.
 - 2. Conduct a role-play scenario among the students to demonstrate the correct use of each form for each different transaction.

III. THECB Learning Outcomes (WECM)

- 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.
- 5. Correct forms for a given scenario.
- 6. Fill in the correct forms for a given scenario.

IV. Evaluation

A. Class Grading:

- 1. Attendance.....10%
- 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 (Americans 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 not apply. Refer to the EPCC catalog and website for additional information.