

# LSTD202

**STUDENT WARNING:** This course syllabus is from a previous semester archive and serves only as a preparatory reference. Please use this syllabus as a reference only until the professor opens the classroom and you have access to the updated course syllabus. Please do NOT purchase any books or start any work based on this syllabus; this syllabus may NOT be the one that your individual instructor uses for a course that has not yet started. If you need to verify course textbooks, please refer to the online course description through your student portal. This syllabus is proprietary material of APUS.

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## Course Summary

**Course :** LSTD202 **Title :** Real Estate Law

**Length of Course :** 8

**Prerequisites :** N/A **Credit Hours :** 3

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## Description

**Course Description:** This course is a study of real estate law, with emphasis on those portions of real estate law that are essential to the processes and functions of the real estate purchase, administration, financing, land use regulation, financial instruments, leases, and property rights. The law of real estate has traditionally consisted of laborious manual searches to ensure good title. The internet provides real estate attorneys and legal assistants with new tools and procedures for conducting real estate transactions. This course will prepare the student for these concepts and will introduce the student to the new world of the Internet as related to real estate law.

### Course Scope:

The law of Real Estate has traditionally consisted of laborious manual searches to ensure good title. The paradigm in Real Estate law has shifted somewhat with the increased use of technology. The internet provides real estate attorneys and legal assistants with new tools and procedures for conducting Real Estate Transactions. Thus the duties and responsibilities of legal assistants have increased and become more diversified. This course will prepare the student for these concepts will integrate the new online world as well.

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## Objectives

After completing this course the Student will be able to:

- A. Describe and discuss basic real property terms, how property is acquired, closing and the relevant forms.
- B. Identify the various types of ownership and obstacles to clear title.
- C. Explain the basic principles of contract law as they relate to real property.
- D. Discuss and be familiar with types of deeds and title examinations and insurance and land surveys and descriptions.
- E. Discuss with familiarity the financial terms associated with Real Estate.

F. Discuss ownership of alternative ownerships i.e., condominiums and cooperatives terms and issues.

G. Discuss with familiarity both commercial and residential leases.

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## Outline

### Week 1:

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Reading

**Hinkel:**

**Chapter 1**

**Chapter 2**

*Review the Week One Lesson in the Classroom*

Learning Objectives

1: Define real property & explain ownership.

2: Identify methods of acquiring ownership to real property and recognize modern day estates.

3: Discuss the types of concurrent ownership (joint tenants; tenants in common & tenants by the entirety.

4: Differentiate between community property and elective share.

Assignment

Introductory Forum

Week 1 Forum

Review Written Assignment Instructions in the Assignments tab

### Week 2:

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Reading

**Hinkel:**

**Chapter 5**

**Chapter 6**

*Review the Week Two Lesson in the Classroom*

Learning Objectives

1: Compare encumbrances and easements.

2: Comprehend the purpose of licenses.

Assignment

Week 2 Forum

### **Week 3:**

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Reading

**Hinkel:**

**Chapter 7**

**Chapter 8**

**Chapter 9**

*Review the Week Three Lesson in the Classroom, as well as Weeks 1-3 in preparation for the Midterm Examination in Week Four.*

Learning Objectives

- 1: Dissect the elements of a valid contract and remedies for breach of contract.
- 2: Analyze the preparation and review of a real estate contract.
- 3: Describe the types of deeds.

Assignment

Week 3 Forum

### **Week 4:**

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Reading

**Hinkel:**

**Chapter 10**

**Chapter 11**

**Chapter 12**

*Review the Week Four Lesson in the Classroom*

Learning Objectives

- 1: Extrapolate the basic provisions of a promissory note and a guaranty.
- 2: Differentiate the legal requirements of a mortgage, deed of trust or security deed.
- 3: Locate the legal remedies for borrower and lender in default on a mortgage loan.
- 4: Delineate the legal procedures for the closing of sale of real property and procedures for closing of a mortgage loan.

***Midterm Exam covers Chapters 1-2 & 5-9.***

Remember essays require more than a single paragraph. Grammar, spelling and Bluebook citation format count.

Assignment

Take the Midterm Exam covering Weeks 1-3, which is located in the Tests & Quizzes tab. The exam is open book and may be found under the section titled Tests & Quizzes.

Contact the professor only for procedural questions, such as clarification of the question or other requirements regarding the exam. Advice on correct responses to questions on the exam cannot be provided during the exam. However, post exam inquires and clarification of responses may be made after the exams have been graded.

## **Week 5:**

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Reading

**Hinkel:**

**Chapter 13**

**Chapter 14**

*Review the Week Five Lesson in the Classroom*

Learning Objectives

- 1: Express the reasons for title examinations.
- 2: Convey the three types of recording statutes.
- 3: Explain reasons for title insurance.
- 4: Identify problems not covered by a title insurance policy.
- 5: Critique title commitment & their full relationship to title insurance.

Assignment

Week 5 Forum

Keep working on the Written Assignment in the Assignments tab

## **Week 6:**

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Reading

**Hinkel:**

**Chapter 15**

**Chapter 16**

**Chapter 17**

*Review the Week Six Lesson in the Classroom*

Learning Objectives

- 1: Comprehend various affidavits used in closing.
- 2: Differentiate between the closing documents: deeds, bills of sale, assignment of warranties, assignments of leases and assignments of contracts.

3: Analyze government regulation of real estate closings

Assignment

Forum Week 6

### **Week 7:**

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Reading

**Hinkel:**

#### **Chapter 18**

*Review the Week Seven Lesson in the Classroom*

Learning Objectives

1: Locate land lease descriptions: Government Rectangular survey description; platted descriptions and metes & bounds descriptions.

2: Review a land survey for the accuracy of the legal description.

3: Report on the legal difference between assignment of lease & sublease.

4: Critique landlord's remedies for tenant's default of a lease and vice versa.

Assignment

Week 7 Forum

Submit the Written Assignment in the Assignments tab

### **Week 8:**

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Reading

**Hinkel:**

**Review Chapters 10-18**, in preparation for the Final Exam.

Learning Objectives

#### ***Final Examination - Open Book***

Remember essays require more than a single paragraph. Grammar, spelling and Bluebook citation format count.

Assignment

Take the Final Exam covering Weeks 4-8, which is located in the Tests & Quizzes tab. The exam is open book and may be found under the section titled Tests & Quizzes.

Contact the professor only for procedural questions, such as clarification of the question or other requirements regarding the exam. Advice on correct responses to questions on the exam cannot be provided during the exam. However, post exam inquires and clarification of responses may be made after the exams have been graded.

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## Evaluation

### **FORUM PARTICIPATION:**

Forums are an important part of your overall grade and should not be taken lightly. There will be seven forum in the course. You will find them in the Forums tab of the classroom. Initial posts must be in by Thursday each week. Classmate responses are due Sunday each week. All posts must meet the grading standards discussed below. Your initial postings should be 500 words in length, and your two responses to classmates must be 250 words each in length. Forum assignments will be based on the readings and your research.

Replies should be substantive. Comments like "I agree," or "Good job," are not substantive. Some things you could do to meet this requirement are: read a little of their research and comment on it; compare their research to yours; give examples if you agree with them, or counter examples if you don't; or share some of your experiences or issues you have seen locally that the rest of us probably won't be familiar with.

### **ASSIGNMENTS**

There will be a written assignment due before Week 7. The assignment instructions are in the Assignments tab in the classroom. Students are expected to complete this assignment by the due date. All written submissions are required to be single-spaced, in Times New Roman, 12pt font, with 1" margins.

### **MIDTERM AND FINAL EXAMINATIONS:**

The class contains a Midterm and Final examination. Both exams will be open book and will be posted in the classroom during the week in which they are due under the Tests & Quizzes tab.

### **Grading:**

<b>Name</b>	<b>Grade %</b>
Welcome Forum	1.00 %
Welcome Forum/Introduction	1.00 %
Forums	39.00 %
Forum Week 1	6.50 %
Forum Week 2	6.50 %
Forum Week 3	6.50 %
Forum Week 5	6.50 %
Forum Week 6	6.50 %
Forum Week 7	6.50 %
Assignments	10.00 %
Case Brief Assignment	10.00 %
Exams	50.00 %
Midterm Exam	25.00 %
Final Exam	25.00 %

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## Materials

**Book Title:** Essentials of Practical Real Estate Law, 5th ed - The VitalSource e-book is provided via the APUS Bookstore

**Author:** Hinkel, Daniel F.

**Publication Info:** Cengage

**ISBN:** 9781111136932

**Book Title:** You must validate your cart to get access to your VitalSource e-book(s). If needed, instructions are available here - <http://apus.libguides.com/bookstore/undergraduate>

**Author:** N/A

**Publication Info:** N/A

**ISBN:** N/A

**Book Title:** Bluebook: Uniform System of Citation, 20th ed. - available online through the APUS Online Library: <http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com>

**Author:** Harvard, Columbia Law Review

**Publication Info:** Harvard, Columbia Law Review

**ISBN:** 9780692400197

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### **Required:**

Daniel F. Hinkel, Practical Real Estate Law (3d ed. 2000).\*

\*Links to all chapter readings will be found in the Lessons tab of the classroom.

### **Recommended:**

The Bluebook: A Uniform System of Citation (Columbia Law Review Ass'n et. al. eds., 20th ed. 2015).\*\*

\*\*This is available in the APUS Library (for free access please see instructions in the announcements) or may be purchased at your own expense in hard copy/online at:

<http://www.legalbluebook.com/Purchase/Products.aspx> It is a recommended resource, but not required. All citations in this course must be in Bluebook format.

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## **Course Guidelines**

### **WRITING EXPECTATIONS**

All written submissions should be submitted in a font and page set-up that is readable and neat. It is recommended that students try to adhere to a consistent format, which is described below.

- Typewritten in **single-spaced** format with a readable style and font and submitted inside the electronic classroom (unless classroom access is not possible and other arrangements have been approved by the professor).
- 12-point font in Times New Roman style.
- Page margins Top, Bottom, Left Side and Right Side = 1 inch, with reasonable accommodation being made for special situations and online submission variances.
- Don't do cover pages.
- Note: **DO NOT** use Wikipedia as a reference/ source when course work. APUS has banned the use of Wikipedia by their students as a source in papers and other coursework because of reliability problems. Wikipedia acknowledges the problems and agrees students should not use it as a source for academic papers, primarily because Wikipedia can not control changes to its content.

### **CITATION AND REFERENCE STYLE**

The central function of legal citation is to allow the reader to efficiently locate the cited source. All courses in the Legal Studies program require that any narrative essay or composition format follow the legal citation guidelines set forth in *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et. al. eds., 20th ed. 2015). More information can be found in the Web Resources and Course Material links in the classroom.

## LATE ASSIGNMENTS

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals I understand you must manage competing demands on your time. Should you need additional time to complete an assignment please contact me before the due date so we can discuss the situation and determine an acceptable resolution. Routine submission of late assignments is unacceptable and may result in points deducted from your final course grade.

Deductions:

Late forum posts can be penalized up to 5 points per day

Late assignments can be penalized up to 5 points per day

## NETIQUETTE

Online universities promote the advance of knowledge through positive and constructive debate--both inside and outside the classroom. Discussions on the Internet, however, can occasionally degenerate into needless insults and "flaming." Such activity and the loss of good manners are not acceptable in a university setting--basic academic rules of good behavior and proper "Netiquette" must persist. Remember that you are in a place for the fun and excitement of learning that does not include descent to personal attacks, or student attempts to stifle the discussion of others.

- **Technology Limitations:** While you should feel free to explore the full-range of creative composition in your formal papers, keep e-mail layouts simple. The Educator classroom may not fully support MIME or HTML encoded messages, which means that bold face, italics, underlining, and a variety of color-coding or other visual effects will not translate in your e-mail messages.
- **Humor Note:** Despite the best of intentions, jokes and--especially--satire can easily get lost or taken seriously. If you feel the need for humor, you may wish to add "emoticons" to help alert your readers: ;-), :)

## DISCLAIMER STATEMENT

Course content may vary from the outline to meet the needs of this particular group.

## ACADEMIC SERVICES

The Online Library is available to enrolled students and faculty from inside the electronic campus. It provides access to subscription article databases, periodicals, books, video and more to support your research and studies. In addition, the Online Library provides access to special learning resources like tutoring services and Turnitin.com, which the University has contracted to boost your academic success.

- **Library Course Guides:** APUS librarians have created guides for each degree program and many courses. Each guide compiles the most relevant research tools (subscription article databases, journals and ebooks), as well as authoritative websites, multimedia and more. Explore the guides at <http://apus.campusguides.com/>.
- **Ask a Librarian:** Librarians are on duty approximately 18 hours per day, 365 days per year. At <http://apus.libanswers.com/>, you can search for answers to library questions, or use the "Ask" button to submit a question of your own.
- **Speak with a Librarian:** Librarians are now available on Adobe Connect, so that you may speak live and ask questions. You can speak with a Librarian by logging in here:



<https://apus.adobeconnect.com/speakwithalibrarian>

- **Electronic Books and Journals:** You can use the online library to access over 150,000 ebooks and 40,000 journals, which are licensed for use by APUS students and faculty only. Visit the [Licensed Library Databases](#) guide to explore search options.
- **Research and Writing Help:** Librarians have created tutorials for college-level research and writing. [Click here to explore them all.](#)
- **Online Tutoring:** AMU and APU students are eligible for up to 10 free hours of online tutoring provided by APUS. Some military students are eligible for additional hours through their Armed Forces education offices. For more information, visit <http://apus.campusguides.com/tutor>.
- **Interlibrary Loan and other services:** when you need a book or article not held in the APUS Online Library, you may request it via interlibrary loan (ILL). [Read more about ILL and other library services.](#)
- **Turnitin.com:** [Turnitin.com](#) is a tool to improve student research skills that also detect plagiarism. Turnitin.com provides resources on developing topics and assignments that encourage and guide students in producing papers that are intellectually honest, original in thought, and clear in expression. This tool helps ensure a culture of adherence to the University's standards for intellectual honesty. Turnitin.com also reviews students' papers for matches with Internet materials and with thousands of student papers in its database, and returns an Originality Report to instructors and/or students.

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## University Policies

### [Student Handbook](#)

- [Drop/Withdrawal policy](#)
- [Extension Requests](#)
- [Academic Probation](#)
- [Appeals](#)
- [Disability Accommodations](#)

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