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LEG 188T.01: Principles of Real Estate

Thomas W. Trigg

University of Montana - Missoula, thomas.trigg@mso.umt.edu

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Academic Misconduct Statement
Be honest, and never offer someone else’s work as your own. Missoula College insists that all students practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The code is available for review online at http://www.umt.edu/vpsa/policies/student_conduct.php.

Course Description
This course provides an overview of the law as it applies to Montana real estate transactions. Topics include the study of property law focusing on the nature and ownership of real property, title insurance, legal descriptions, and the transactional aspects of financing methods involving trust indentures, mortgages, and contracts for deed, with closing and recording procedures. This is a two credit course. Course information is available at https://webprocess.umt.edu/cyberbear/bwckctlg.p_disp_course_detail?cat_term_in=20150&subj_code_in=LEG&crse_numb_in=188T

Required Text and Materials

Course Objectives
Upon completion of this course, the student will be able to:
1. Recognize ethical issues involving real estate transactions.
2. Locate sources of law governing real estate transactions.
3. Analyze facts relevant to various property transactions.
4. Interpret real estate statutes.
5. Prepare draft real estate documents for consideration by your lawyer.

Course outline
The course will address real estate topics in the following order:

1. Basic principles of real estate law
2. Ownership restrictions
3. Legal description of property
4. Real estate brokers
5. Basic real estate contract
6. Deeds
7. Liens on property
8. Financing
9. Title examination and title insurance
10. Residential real estate closings
11. Commercial real estate closings
12. Residential leases
13. Commercial leases
14. Eviction procedures
15. Real estate litigation
16. Mortgage foreclosures

Most topics will be covered in one week, but some will be presented in an abbreviated form. The midterm examination and the final examination will each take one class.

Instructional Methods
Lecture; class discussion; Montana Supreme Court case review with question/answer discussion; Montana Code Annotated statute and annotation review with question/answer discussion; homework; quizzes; examinations; and drafting of various real estate documents.

How I Plan to Teach the Course
Each class, I will direct you to pertinent reference materials and we will discuss the topic presented. I will guide you to related statutes and case law so that you will develop an understanding of the topic and the drafting tasks related to that topic. You will be asked to draft documents and submit them. Students will be expected to participate in class
discussions. There will be quizzes and examinations in addition to the drafting assignments.

**Student Performance Assessment Methods and Grading Procedures**
Your final grade in this course will be determined from points earned through assignments, quizzes, a midterm examination, and a final examination. These will be graded objectively using a point allocation system and weight factoring formula. Homework, quizzes, the midterm examination, and the final examination will each contribute 25% to your grade. If you attend classes and do all homework, quizzes, and exams on time, you are likely to learn the material and do well in the class. If you skimp on any of these, your learning and your grade are likely to suffer, perhaps severely.
Contact the instructor if you have questions about grades. If you confront circumstances that make the class challenging, contact the instructor to discuss ways you can improve upon your situation.

**Grade Scale**
- A: 100-93%
- B: 92-85%
- C: 84-77%
- D: 76-69%
- F: below 69%

Grades falling between integers in the final calculations of grades will be rounded up or down. For instance, a student with an average of 92.5000% would receive an A. A student with an average less than 92.5000% would receive a B.

**Disability Accommodations Statement**
Accommodations will be made for students with special needs. If any student requires special consideration for any reason, it is the responsibility of the student to contact the instructor to discuss the matter prior to any situation that might give rise to the special consideration requested.

**Machines**
All law offices rely on computers, smart phones, and similar machines. I encourage you to bring them to class and to use them suitably. Whenever a machine can help you learn and contribute to the class, use it. Whenever the contemplated usage might prompt an irascible senior partner to fire you from a job, don’t use it. Treat this class -- and machines -- as an opportunity to learn how to practice your profession.