



Western Technical College

## 10110110 Real Estate Law

### Course Outcome Summary

#### Course Information

<b>Description</b>	This course provides students with knowledge of the substantive law of real property to enable the student to identify rights and responsibilities involved with real property ownership. In addition, the students learn how to draft basic legal documents involving real estate transfers and transactions.
<b>Career Cluster</b>	Law, Public Safety, Corrections and Security
<b>Instructional Level</b>	Associate Degree Courses
<b>Total Credits</b>	3
<b>Total Hours</b>	54

#### Pre/Corequisites

Prerequisite 10110101 Introduction to Paralegal and Ethics

#### Textbooks

*Wisconsin Real Estate Law*. Copyright 2022. Minter, Scott C. and Debra Peterson Conrad. Publisher: UW Madison Law School. **ISBN-13:** 978-0-578348-57-5. Required.

#### Program Outcomes

1. Synthesize various sources into a supportable legal conclusion

#### Course Competencies

1. **Demonstrate an understanding of the nature and scope of ownership of real property**

##### Assessment Strategies

- 1.1. Written Objective Test

## 1.2. Written Products

### Criteria

*You will know you are successful when:*

- 1.1. you draft legal documents creating various interests in real property
- 1.2. you draft pleadings to enforce rights in real property

### Learning Objectives

- 1.a. Define real property
- 1.b. Identify rights associated with real property to air, water, fixtures, and lateral support
- 1.c. Identify the various real property interests one might have in another's real property
- 1.d. Explain how easements and licenses are created
- 1.e. Identify common types of lawsuits involving ownership of real property
- 1.f. Prepare appropriate legal documents to enforce legal rights in real property

## 2. Assist clients in choosing the appropriate form of real property ownership.

### Assessment Strategies

- 2.1. Written Objective Test

### Criteria

*You will know you are successful when:*

- 2.1. you determine proper forms of real property ownership based upon hypothetical situations

### Learning Objectives

- 2.a. Identify the various estates in real property
- 2.b. Compare and contrast the various legal rights in real estate generated by the various estates in real property
- 2.c. Explain the circumstances which indicate where one form of estate in real estate is preferable to another
- 2.d. Identify the various forms of multiple ownership of real estate
- 2.e. Explain circumstances that would favor one form of multiple ownership of real estate over another
- 2.f. Identify forms of ownership available to business interests
- 2.g. Explain unique process for acquiring and transferring real estate by various types of business organizations

## 3. Perform the role of a paralegal with reference to proper preparation of real estate purchase agreements.

### Assessment Strategies

- 3.1. Written Objective Test
- 3.2. Written Product

### Criteria

*You will know you are successful when:*

- 3.1. you draft a purchase agreement involving the sale and purchase of real property given a hypothetical set of facts
- 3.2. you explain all major components of the purchase agreement you drafted identifying the legal consequences of all significant provisions

### Learning Objectives

- 3.a. Explain rights and responsibilities engendered by real property listing agreements
- 3.b. Explain how the statute of frauds impacts the sale of real estate
- 3.c. Identify various forms of purchase agreements involving real estate
- 3.d. Explain various provisions that might be part of a purchase agreement involving real estate
- 3.e. Explain the various legal remedies available to the seller and buyer upon breach of a real estate purchase agreement
- 3.f. Identify sources of substantive law as they relate to purchase agreements involving real property

## 4. Perform the role of the paralegal as it relates to determining marketability of title to real estate.

### Assessment Strategies

- 4.1. Written Objective Test
- 4.2. Written Product

#### **Criteria**

*You will know you are successful when:*

- 4.1. you explain in a written paper the significance and purpose of the Wisconsin recording statutes
- 4.2. you explain how to access information involving real estate at the register of deeds office

#### **Learning Objectives**

- 4.a. Explain the mechanics and purpose of Wisconsin's recording statute
- 4.b. Identify the various documents relating to real property found in the Register Of Deeds office
- 4.c. Explain how to access the information contained in the Register Of Deeds office
- 4.d. Identify the various methods of determining marketable title to real property
- 4.e. Distinguish between abstracts of title and title insurance
- 4.f. Identify the paralegal's role in determining title to real estate

### **5. Draft appropriate documents involved in financing real property transactions.**

#### **Assessment Strategies**

- 5.1. Written Products

#### **Criteria**

*You will know you are successful when:*

- 5.1. you prepare a checklist of information necessary to prepare mortgages and land contracts
- 5.2. you draft an appropriate note and mortgage
- 5.3. you draft an appropriate land contract

#### **Learning Objectives**

- 5.a. Identify common legal documents involved in real estate financing
- 5.b. Distinguish between real estate mortgages and land contracts in Wisconsin
- 5.c. Explain the circumstances that make a land contract more appropriate than a mortgage
- 5.d. Contrast the remedies available to lenders under land contracts and real estate mortgages
- 5.e. Explain the process of a real estate foreclosure
- 5.f. Identify legal forms necessary to process a real estate foreclosure

### **6. Prepare documents necessary to close a real estate transaction.**

#### **Assessment Strategies**

- 6.1. Written Products

#### **Criteria**

*You will know you are successful when:*

- 6.1. you prepare a closing statement
- 6.2. you draft all documents necessary to close a real estate transaction

#### **Learning Objectives**

- 6.a. Draft various types of deeds
- 6.b. Identify information needed for the closing of a real estate transaction
- 6.c. Specify sources a paralegal uses to obtain the information necessary to close a real estate transaction
- 6.d. Draft documents necessary to close a real estate transaction
- 6.e. Draft a Wisconsin real estate transfer form
- 6.f. Prepare a real estate closing statement for the buyer and seller

### **7. Perform the role of the paralegal with reference to landlord/tenant law.**

#### **Assessment Strategies**

- 7.1. Written Objective Test
- 7.2. Written Product

#### **Criteria**

*You will know you are successful when:*

- 7.1. you demonstrate your mastery of the substantive law involving landlord tenant through a written

- examination
- 7.2. you prepare a written lease based upon a hypothetical fact situation
- 7.3. you explain the legal meaning of the relevant provisions of the prepared lease
- 7.4. you draft appropriate documents necessary to terminate a lease

#### **Learning Objectives**

- 7.a. Explain the distinction between the various types of tenancies recognized by Wisconsin law
- 7.b. Explain how residential tenancies are treated differently than commercial tenancies under Wisconsin law
- 7.c. Identify the various lease forms available to document the landlord tenant relation
- 7.d. Explain the purpose of the various lease provisions
- 7.e. Identify the rights and remedies available to a landlord in the event of a breach of the lease
- 7.f. Identify the rights and remedies available to a tenant in the event of a breach of the lease
- 7.g. Explain the various methods in which leases are terminated
- 7.h. Identify the rights and responsibilities of the landlord and the tenant upon lease termination

### **8. Comply with governmental rules and regulations relative to land usage.**

#### **Assessment Strategies**

- 8.1. Written Objective Test
- 8.2. Written Product

#### **Criteria**

*You will know you are successful when:*

- 8.1. you demonstrate mastery of the substantive law through a written examination
- 8.2. you attend a meeting of the local zoning board and report on its activities
- 8.3. you prepare an application for a zoning variance based upon a hypothetical situation using locally specific forms
- 8.4. you explain the procedure for having the application you prepared approved by the zoning board

#### **Learning Objectives**

- 8.a. Explain the origin and purpose of zoning laws
- 8.b. Explain the process for obtaining land use permits and zoning variances
- 8.c. Identify the purpose of state and federal environmental law
- 8.d. Identify the primary and secondary sources of law involving state and federal environmental law
- 8.e. Explain consequences of failure to abide by government regulation of land usage
- 8.f. Identify ethical concerns of a paralegal as it relates to complying with state and federal land usage regulation