**ESSEX COUNTY COLLEGE**

**Social Sciences Division**

**PLS 210 *–* Property Transactions**

**Course Outline**

**Course Number & Name:**  PLS 210 Property Transactions

**Credit Hours:**  3.0 **Contact Hours:**  3.0 **Lecture:** 3.0 **Lab:**  N/A **Other:**  N/A

**Prerequisites**:  Grade of “C” or better in PLS 101

**Co-requisites:** None **Concurrent Courses:** None

**Course Outline Revision Date:**  Fall 2010

**Course Description**: Students are introduced to the law of property as well as to the various types of property transactions and related matters. Topics covered include contracts, mortgages, leases, deeds, title searches, and recording statutes. Students learn to prepare sample real estate closing documents. The course also examines the role of the paralegal, the Code of Professional Ethics, and other related standards of proper conduct.

**Course Goals:** Upon successful completion of this course, students should be able to do the following:

1. discuss and examine the codes of professional conduct;

2. identify, define, and examine issues related to estates in land and future interests;

3. identify, define, and analyze the rights incident to titles in realty;

1. identify and examine each step in the process of adjudicating land use law issues;
2. identify, define and describe the documents associated with the law of conveyancing;
3. identify, describe and explain real estate closing procedures;
4. identify, define and analyze rights incident to condominium, cooperative, and commercial property law;
5. identify and describe issues related to landlord-tenant law; and

1. identify and describe ownership issues related to personal property law.

**Measurable Course Performance Objectives (MPOs)**: Upon successful completion of this course, students should specifically be able to do the following:

1. Discuss and examine the codes of professional conduct:

1.1 *discuss and examine judicial conduct;*

1.2 *discuss and examine attorney ethical standards;* and

1.3 *discuss and examine paralegal professionalism*

**Measurable Course Performance Objectives (MPOs)** (continued):

2. Identify, define, and examine issues related to estates in land and future interests:

2.1 *differentiate the classifications of estates;* and

2.2 *define and analyze future interests*

3. Identify, define, and analyze the rights incident to titles in realty:

3.1 *define and describe adverse possession;*

3.2 *define and describe surface rights;*

3.3 *define and describe water rights;*

3.4 *define and describe nuisance;*

3.5 *define and describe fixtures;*

3.6 *define and describe waste;* and

3.7 *define and describe emblements*

4. Identify and examine each step in the process of adjudicating land use law issues:

4.1 *define and describe covenants*;

4.2 *define and describe easements*;

4.3 *define and describe licenses;*

4.4 *define and describe duty of care;* and

4.5 *define and describe zoning*

5. Identify, define and describe the documents associated with the law of conveyancing:

5.1 *analyze and draft contracts for the sale of realty*;

5.2 *analyze and draft deeds*;

5.3 *analyze and draft mortgages;* and

5.4 *explain and analyze priorities and recording statutes*

6. Identify, describe and explain real estate closing procedures:

6.1 *define and describe procedures between the contract for sale and the closing date*;

6.2 *conduct a simulated closing;* and

6.3 *explain post-closing procedures*

7. Identify, define and analyze rights incident to condominium, cooperative, and commercial property law:

7.1 *identify and discuss issues associated with a condominium’s ownership and acquisition;*

7.2 *identify and discuss issues associated with a cooperative’s ownership and acquisition;* and

7.3 *identify and discuss issues associated with a commercial property’s ownership and acquisition*

8. Identify and describe issues related to landlord-tenant law:

8.1 *analyze and draft a lease;*

8.2 *identify, define, and describe a tenant’s duties;*

8.3 *identify, define, and describe a landlord’s duties;* and

8.4 *analyze and draft assignments and subleases*

**Measurable Course Performance Objectives (MPOs)** (continued):

9. Identify and describe ownership issues related to personal property law:

9.1 *identify, define, and describe categories of personal property;*

9.2 *identify, define, and describe methods of transferring personal property;*

9.3 *identify, define, and describe bailment;* and

9.4 *identify, define, and describe common carriers and innkeepers*

**Methods of Instruction**: Instruction will consist of a combination of any of the following instructional methods: legal case reviews, lectures, group activities, role play, oral presentations, document drafting, essays, research assignments, films, cable, news and television programs, field trips, and community outreach projects.

**Outcomes Assessment:** Quiz and exam questions (if applicable) are blueprinted to course objectives. Checklist rubrics are used to evaluate non-test type assessment instruments (e.g., reaction papers, oral/written presentations, debates, and projects), for the presence of course objectives. Data collected will be analyzed to provide direction for the improvement of program instruction, viability of class assignments, relevancy of assigned course materials, and evaluation of instructional time spent on specific topics.

**Course Requirements:** All students are required to:

1. Maintain regular and prompt attendance to all class sessions.
2. Complete homework assignments and quizzes (if applicable).
3. Complete all written and oral exercises (scored grading) inside and outside of class as assigned.
4. Complete the Midterm and Final Assessment Activities (e.g., paper, presentation, and/or project).
5. Voluntarily participate in class discussions, class exercises, and group projects.
6. Complete all assessment activities as scheduled.
7. Follow any specific class requirements mandated by the instructor.

**Methods of Evaluation:** Final course grades will be computed as follows:

 **% of**

**Grading Components final course grade**

* Attendance/Class Participation  **15 – 25%**

Attendance points will be computed based on the ratio of the number of days attending the course during a regular semester (i.e., 28 contact days). A similar procedure will be used to determine participation points.

* **Notebook containing Course Handouts, Program Summaries** 5 – 10%

**and Table of Contents**

The notebook is a practical exercise designed to assess students’ abilities to organize large volumes of information and allows students to create a reference source of all material related to course objectives for themselves.

* Topic Sentence Outlines **5 – 10%**

Topic sentence outlines are practical exercises designed to enhance students’ reading comprehension and study skills.

* Oral Report **0 – 5%**

The brief oral report is designed to provide students with an opportunity during each class session to report on a fact pattern or story taken either from a newspaper, advertisement, local news or cable program, television programs, paralegal or legal publications and demonstrate the correlation between the information and the subject matter currently being addressed in class. Additionally, this exercise provided the students with an opportunity to enhance their oral communication skills.

* **Legal Case Brief in PowerPoint**  15 – 25%

The PowerPoint presentation first requires students to provide and economic, historical, political, and social context for the development of law or legislation addressed in the legal case brief including the role of the paralegal in the particular case. It also provides students with the opportunity to enhance their technological skills in an academic environment while engaging in legal analysis related to course objectives.

* **Programs, Lectures, Seminars and/or Workshops** 5 – 10%

Internal or external relevant programs, lectures, seminars and workshops, which are related to the course objectives, are informational for the student, who will be required to prepare brief written summary of the event/program. These opportunities provide students with a chance to engage in academic scholarship.

* **Mock Client Interview** 5 – 10%

Interviews are information-gathering opportunities designed to enhance students’ oral communication skills while engaging in legal analysis related to course objectives.

**Methods of Evaluation** (continued)**:**

 **% of**

**Grading Components final course grade**

* **Legal Letters** 5 – 10%

Legal letters are designed to enhance students’ written communication skills while engaging in legal analysis related to course objectives.

* **Legal Concepts and Terminology Assessment Activity 0** – 5%

This assessment activity is designed to enhance the students’ command of legal vocabulary and infuse it in their academic communications.

* **Extra Credit Opportunities**  5 – 10%
	+ Voter registration – The student should provide written evidence of participation in the electoral process.
	+ Notary Public – Students are encouraged to research, process, and complete a notary public application for approval to include on their resumes to enhance their marketability.
	+ Membership in Paralegal Association of New Jersey (PANJ) – Students are encouraged to join the Paralegal Association of New Jersey to include on their resume to enhance their marketability.

**Note**: The instructor will determine (as appropriate) the specific component(s) appropriate for the course and provide specific weights which lie in the above-given ranges at the beginning of the semester.

**Academic Integrity:** Dishonesty disrupts the search for truth that is inherent in the learning process and so devalues the purpose and the mission of the College. Academic dishonesty includes, but is not limited to, the following:

* plagiarism – the failure to acknowledge another writer’s words or ideas or to give proper credit to sources of information;
* cheating – knowingly obtaining or giving unauthorized information on any test/exam or any other academic assignment;
* interference – any interruption of the academic process that prevents others from the proper engagement in learning or teaching; and
* fraud – any act or instance of willful deceit or trickery.

Violations of academic integrity will be dealt with by imposing appropriate sanctions. Sanctions for acts of academic dishonesty could include the resubmission of an assignment, failure of the test/exam, failure in the course, probation, suspension from the College, and even expulsion from the College.

**Student Code of Conduct:** All students are expected to conduct themselves as responsible and considerate adults who respect the rights of others. Disruptive behavior will not be tolerated. All students are also expected to attend and be on time for all class meetings. No cell phones or similar electronic devices are permitted in class. Please refer to the Essex County College student handbook, *Lifeline*, for more specific information about the College’s Code of Conduct and attendance requirements.

Note: Students shall conduct themselves in a professional manner at all times. See National Federation of Paralegals Associations, Inc. Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement.

**Course Content Outline:** based on the text **Basic Real Estate and Property Law for Paralegals**, 3rd edition, by Jeffrey A Helewitz; published by Aspen Publishers.

**Unit Topics to be Covered**

1 Introduction – Course introduction & overview; visit to Martin Luther King, Jr Library for library literacy session and introduction/overview of West law legal search engine; estates in land and future interests – classifications of estates; future interests; practical tips

2 Rights Incident to Titles In Realty – Adverse possession; surface rights; water rights; nuisance; fixtures; waste; emblements

3 Land Use – Covenants; easements; licenses; duty of care; zoning

4 Conveyancing – Contracts for the sale of realty; deeds; mortgages; priorities and recording statutes

5 Real Estate Closing Procedures – Between the contract for sale and the closing date; the closing; post-closing procedures

6 Condominiums, Cooperatives, and Commercial Property – Condominiums; cooperatives; commercial property

7 Landlord-Tenant Law – The lease; the tenant’s duties; the landlord’s duties; assignments and subleases

8 Personal Property – Categories of personal property; methods of transferring personal property; bailment; common carriers and innkeepers; other issues

Note**:** In PLS 210, the instructor must cover the 8 units listed above minimally in any reasonable order throughout the duration of the semester/term. In addition, the instructor must provide economic, historic, political, and social context for the relevant aspects of property law. Lastly the instructor may include other relevant information based on his/her legal expertise and/or interest.