

Real Estate Law and Contracts

(Combined BLAW 5770 Advanced Real Estate Law and Contracts)

Wednesday 6:30PM - 9:20PM – Room BLB 170

Instructor: Michael P. Gallo, B.Fin, M.Fin, J.D.

Lecturer Professor and Attorney at Law

Cell: 972.358.4213

Michael.Gallo@unt.edu



Teachers Assistant: Favour (“Favor”) Emueze - FavourEmueze@my.unt.edu

Office Hours: I welcome and encourage you to meet with me in person and via video conference.

Office location: BLB 384 In-Office: Tuesdays 2:30 – 3:30 and by appointment.

Contact: I’m eager to hear from you! **My preferred method of communication is through my UNT email address.** To stay organized and ensure no message is missed, please avoid calling or texting initially. Managing correspondence through official channels helps me respond more promptly.

Please do not assume I have read your email simply because it was sent — I receive many messages each day, and yours may have been overlooked. If you haven’t received a reply within 36 hours, please send a follow-up reminder. If it’s urgent, you may reach out by phone.

Background:

For over 30 years, I worked in commercial equipment finance and leasing, collaborating with independent companies and national banks. I recently retired from M&T Bank, where I was in-house counsel for their leasing subsidiary, LEAF Commercial Capital. My career also includes roles at Bank One, Crédit Lyonnais, CIT, and Xerox Corporation. I now teach and serve as Of Counsel at Padfield & Stout, LLC, specializing in contracts, real estate, and commercial equipment finance.

I hold a Bachelor of Science in Finance, a Master of Science in Real Estate Finance, and a Doctor of Jurisprudence. For more information, please visit my LinkedIn profile at www.linkedin.com/in/michaelpgallo, and feel free to connect with me!

My wife, Michelle, works as a Senior Insurance Risk Manager in the Treasury Department at Leidos. My two daughters, Anna, completed an MBA at UNT, and Caroline is studying medicine at TCOM. In my leisure time, I enjoy traveling, playing tennis, scuba diving, and indulging in my passion for classic cars.

My objective is to provide you with an enjoyable and enriching experience in my class. I encourage you to reach out if you need any assistance, and I am always open to your suggestions for enhancing our class.

Prerequisite(s): Must have passed PSCI 2306 and PSCI 2305, or equivalent; PBUS/BUND students may not enroll in this course unless they are assigned to BFND subplan.

STUDENTS WITH ODA NEEDS SHOULD CONTACT THE INSTRUCTOR AT THE BEGINNING OF THE SEMESTER.

CONSULT OFFICIAL, CURRENT UNIVERSITY CALENDAR FOR ADD/DROP, WITHDRAW AND OTHER KEY DATES, WHICH IS INCORPORATED HEREIN BY REFERENCE.

THIS SYLLABUS AND ITS CONTENTS ARE SUBJECT TO CHANGE AND TO CORRECT ERRORS IN THE SOLE DISCRETION OF THE INSTRUCTOR.

Welcome to UNT!

As members of the UNT community, we have all made a commitment to be part of an institution that respects and values the identities of the students and employees with whom we interact. UNT does not tolerate identity-based discrimination, harassment, and retaliation. UNT's full Non-Discrimination Policy can be found in the UNT Policies section of this syllabus.

Course Description:

BLAW 4770. Real Estate Law and Contracts. Study of the legal principles governing real estate transactions with an emphasis on promulgated contracts. Topics include contract law, estates in land, types of ownership, deeds, mortgages, title insurance, agency and homestead.

BLAW 5770. Advanced Real Estate Law and Contracts. In-depth study of legal principles and topics covered in BLAW 4770.

Course Objectives:

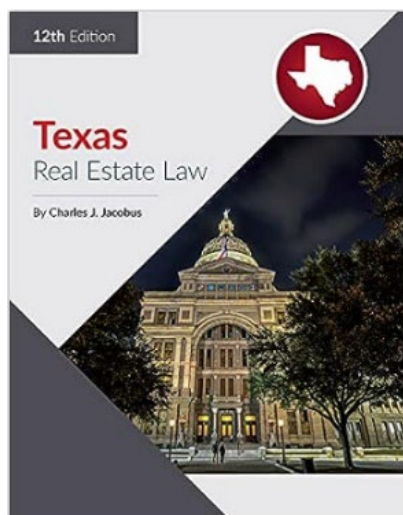
Real Estate Law and Contracts is a survey course and introduction to legal concepts and principals of real estate law and related contracts. It is general in nature and designed to prepare the student for further study in one or more specific areas, such as Real Estate Finance, Real Estate Law, Property Management, Real Estate Sales and Brokerage, and Investment Real Estate. Students are expected to comprehend real estate legal terminology and contract features and to acquire the knowledge, judgment and expertise to understand the real estate process and supporting legal principals.

1. To introduce the student to the law and contracts supporting the practice of Real Estate.
2. To provide the student with the language and terminology of real estate law and related contracts.
3. To prepare the student for a more in-depth study of the key functional areas of real estate law, including promulgated contracts, with an emphasis on Texas Real Estate Commission (TREC) forms, estates in land, types of ownership, deeds, mortgages, title insurance, agency and homestead.
4. To prepare students to be more educated real estate professionals and to provide a foundation for those who may wish to pursue a practical or legal career in real estate.

Teaching style:

While covering the materials, I like to create an atmosphere of open conversation and dialogue during class. Always feel free to ask a question or to discuss the materials. I will call on students and ask questions during class to draw out a conversation (see Attendance and Participation below).

Text:



Title:	<i>Texas Real Estate Law</i>
Author:	Charles J. Jacobus
Format:	Paperback /eBook
Publisher:	Mbition /ONCOURSE
Edition:	12th Edition (2021)
ISBN-10:	1629802344
ISBN-13:	978-1629802344

Student Evaluation:

Grades will be determined according to the following percentage allocation:

Exam 1	=	25.00%
Exam 2	=	25.00%
Exam 3	=	25.00%
<u>Homework Quizzes</u>	=	<u>25.00%</u>
Total	=	100.00%

The following grading scale will be used:

90–100%	=	A
80–89%	=	B
70–79%	=	C
60–69%	=	D
Below 60%	=	F

(Note, points referred to in this Syllabus are on a 1,000-point scale.)

Students enrolled in 5770 will be required to write a comprehensive paper on a current topic in real estate law, preferably with a focus on Texas law. The topic will be chosen with the instructor's approval and guidance, with checkpoints throughout the semester to foster collaboration. This project will count for 25% of your grade, with the other components of 4770 adjusted proportionately. **The project is due on November 19th at 11:59 PM. No extensions after that date.**

Exams: (75% of total class grade – 25.00% per exam)

There will be three exams, including one non-cumulative final exam. These exams will be administered in class and will consist of approximately 50 multiple-choice and true/false questions using Scantron sheets. In some cases, in-class testing using Canvas with a lockdown browser may be used as an alternative. You will have 70 minutes to complete each exam, with additional time provided for students with university-approved accommodations through the testing center. Remote online exams will not be permitted unless directed by the University.

Although this class is 3 hours long, the exam will be scheduled from 6:30 to 7:40 PM, with the remaining class time reserved for lectures. **This is NOT a testing window, you are expected to be present for an exam promptly at 6:30.** Students arriving late are subject to a grade penalty at the instructor's discretion.

The exams are designed to cover the material presented in the course, including readings, quizzes, and lectures. However, the content may not always appear in the same order, format, or emphasis as in the assigned text.

All electronic devices must be turned off during exams, and collaboration with others is strictly prohibited.

Make-up Exams:

- (1) **Eligibility:** Make-up exams will be allowed only for Excused Absences.
- (2) **Proctoring:** All make-up exams will be proctored; remote online exams are not permitted.
- (3) **Format:** Make-up exams may include some or all essay questions.

In rare cases where a make-up exam is allowed for an unexcused absence, the exam will consist entirely of essay questions.

Homework Quizzes: (25% of total class grade)

A portion of your course grade will be determined by 21 online homework quizzes, each cover topics from the associated chapter. The quizzes will be open book. One (1) quiz with the lowest grade will be dropped.

Each quiz counted is assigned 12.5 points, or 0.025% of your total grade, for a total of 250 points total. **The purpose of these quizzes is to help guide you through the materials, with an emphasis on topics that will be addressed in the exams.**

Quizzes open at the start of the semester and are due by 11:59 PM on the day of the corresponding exam. **If completed after the deadline, the maximum score for each quiz will be reduced by 20% (10 points instead of 12.5).** All quizzes will remain accessible until **December 5th at 11:59 PM.** **No extensions after that date.**

Attendance and Participation:

Attendance: Regular and punctual class attendance is expected.

Class attendance is essential for doing well on the exams, as it helps you stay current with important material, class discussions, and **in-class examples that may not be in the textbook but could appear on the exam.** Regular participation also deepens your understanding, making it easier to grasp and effectively apply key concepts that will be tested. Plus, attending class regularly gives you the opportunity to ask questions and clarify any doubts in real time.

You should attend every class unless you have a university excused absence such as active military service, a religious holy day, or an official university function as stated in the Student Attendance and Authorized Absences Policy ("**Excused Absences**"):

https://policy.unt.edu/sites/default/files/06.039_StudAttnandAuthAbsence.Pub2_.19.pdf

Participation: Active engagement during class through group discussions and interaction with me and other students will promote better understanding and learning and make the class more enjoyable for all. Participation will be monitored and through the use of pop quizzes for extra credit and general class participation.

Extra Credit Participation – I will award 1 extra credit point (equivalent to 0.10% of your final grade) to students who demonstrate outstanding participation during class. This will be based on my discretion and given to one or more students who actively contribute beyond the level of their peers. There is no cap on the number of participation points you can earn. When awarded, I will ask you to email me and the TA to ensure your extra credit is recorded.

Extra Credit Pop Attendance – Over the course of the semester, I will conduct at least 5 pop attendance checks, each worth 4 extra credit points, for a total of up to 20 points (equivalent to an additional 2% of your final grade). These will be unannounced. Except for university Excused absences, **there will be no make-ups for missed attendance checks**, as they are designed to reward consistent attendance and engagement.

At my discretion, additional opportunities for extra credit may be provided during the semester.

Class, Exam and Homework Quiz Schedule:

BLAW 4770 - Real Estate Law and Contracts (Fall 2024)						
Week	Date	CC.	Topics	Homework Quiz (HWQ)	Points	% Final Grade
Introduction to Course						
1	Aug 20	1	- Introduction to Course - Review syllabus and class schedule - Introduction to Legal Concepts of Real Estate			
2	Aug 27	1	- Introduction to Legal Concepts of Real Estate (Continued)	HWQ 1	12.5	1.25%
		11	Real Estate Brokerage	HWQ 11	12.5	1.25%
		12	Agency **	HWQ 12	12.5	1.25%
3	Sept 3	2	Basic Contract Law and Promulgated Contracts	HWQ 2	12.5	1.25%
			Exercise: Review and practice - example contracts			
4	Sept 10	3	Legal Description	HWQ 3	12.5	1.25%
		5	Regulations, Restrictions, and Land Use Controls	HWQ 5	12.5	1.25%
			Finish-Up, Exam Review and Discussion			
5	Sept 17	Exam 1 Chapters: 1, 2, 3, 5, 11 (12**)			250	25%
6	Sept 24	6	Estates in Land – Freehold Estates	HWQ 6	12.5	1.25%
		7	Estates in Land – Statutory Estates	HWQ 7	12.5	1.25%
		4	Real Property Rights and How Ownership is Held **	HWQ 4	12.5	1.25%
	Sept 24		5770 Projects Detailed Outline Due, no extensions			25%
7	Oct 1	8	Voluntary Conveyances	HWQ 8	12.5	1.25%
		9	Involuntary Conveyances	HWQ 9	12.5	1.25%
8	Oct 8		Speaker - John and Stephen Brusniak, Property Tax Law and Valuation			
		21	Real Estate Taxation	HWQ 21	10	1.0%
9	Oct 15	10	Fixtures and Easements	HWQ 10	10	1.0%
			Finish-Up, Exam Review and Discussion			
10	Oct 22	Exam 2 Chapters: 6, 7, 8, 9, 10, 21 (4**)			250	25%
11	Oct 29	13	Liens and Encumbrances	HWQ 13	12.5	1.25%
		14	Mortgages and Foreclosures	HWQ 14	12.5	1.25%
	Oct 29		5770 Projects Final Daft Due, no extensions			25%
12	Nov 5	15	Recordings Procedures, Constructive Notice, and Acknowledgements	HWQ 15	12.5	1.25%
		16	Interest and Finance Charges	HWQ 16	12.5	1.25%
13	Nov 12	17	Title Assurance, Evidence, and Transfer of Title **	HWQ 17	12.5	1.25%

		18	Closing	HWQ 18	12.5	1.25%
14	Nov 19	19	Landlord and Tenant Relationships	HWQ 19	12.5	1.25%
		20	Condominiums and Cooperatives **	HWQ 20	12.5	1.25%
	Nov 19		5770 Projects Due, no extensions			50%
15	Nov 26	Thanksgiving Break				
16	Dec 4		Finish-Up, Exam Review and Discussion			
17	TBD * Likely 12/12/25	Exam 3 (Final) Chapters: 13, 14, 15, 16, 18, 19 (17, 20**) Finals begin December 6 th . Check UNT schedule for exact exam dates			250	25%
		Total			1,000	100%
**REFERENCE ONLY - Do not read this chapter. The material is covered in lectures only. Some topics may appear on the exam as they relate to other respective chapters.						
Additional or alternative readings, assignments and quizzes may be assigned. Class and Quiz schedule is subject to change.						

For more emergency information and what to do in a specific emergency situation, refer to the UNT Emergency Guidelines on www.emergency.unt.edu or the Mean Green Ready app. **Call 911 in an emergency!**

Rules of Engagement:

Rules of engagement refer to the way students are expected to interact with each other and with their instructors online. See these Engagement Guidelines (<https://clear.unt.edu/online-communication-tips>).

Laptop/Cellphone Use:

- Laptop: may use, but for note-taking purposes only
- Cellphone: may use, but for note-taking purposes only

Inappropriate use of laptops and cellphones are deemed disruptive and unacceptable behaviors. I will only provide **one warning** to the student during the semester for such inappropriate behavior or other disruption behavior. After that, I will ask the student to leave the class. Further, the student will be considered absent for the class period with no participation credited. See UNT's policy on Code of Student Conduct for more information.

UNT POLICIES

Academic Integrity Statement and Policy

The G. Brint Ryan College of Business takes academic honesty seriously. Ethics and integrity are important business values, essential to building trust and adhering to both professional and legal standards. Academic dishonesty destroys trust, damages the reputation and the value of the degree and is unacceptable.

According to UNT Policy 06.003, Student Academic Integrity, academic dishonesty occurs when students engage in behaviors including, but not limited to cheating, fabrication, facilitating academic dishonesty, forgery, plagiarism, and sabotage. A finding of academic dishonesty may result in a range of academic penalties or sanctions from admonition (a warning) to expulsion from the University.

Some of the most common examples of academic integrity violations include plagiarism or cheating, such as unauthorized assistance on examinations, homework, research papers or case analyses. Your work must be entirely your own. When working on assignments, you should not discuss your work with others unless approved by the course instructor. Group assignments should only be discussed with members assigned to your group, and all group members may be held accountable in some way for known academic integrity violations in a group assignment.

Another example of academic dishonesty relates to improper attribution. When preparing your assignments, you must cite all outside sources in the manner requested by your instructor. Copying or using material from any source prepared by or previously submitted by others, at UNT or other institutions, or downloaded from the Internet, is plagiarism. Unless directed otherwise in an assignment, large scale “cutting and pasting” from other sources, even if properly footnoted, is not appropriate. You should synthesize this material in your own words and provide a footnote.

Your instructor will specify what materials, if any, may be used on the tests and exams. Using materials other than those permitted, talking with other individuals during the exam, individuals exchanging information about an exam when one has taken the exam and the other has not, or copying or using material from another individual’s exam is academic dishonesty and will result in a meeting to discuss academic integrity violations and potentially issue sanctions mentioned above, and may result in ineligibility for academic scholarships. The use of online assistance, such as sites commonly used for finding homework solutions, group chat, cell phones, smart watches, and similar tools during exams is not allowed for any reason unless specifically permitted. No portion of an exam may be copied or photographed without permission.

Students are expected to conduct themselves in a manner consistent with the University's status as an institution of higher education. A student is responsible for responding to a request to discuss suspected academic dishonesty when issued by an instructor or other University official. If a student fails to respond after a proper attempt at notification has been made, the University may take appropriate academic actions in the absence of the student’s participation.

ADA Policy

The University of North Texas makes reasonable academic accommodation for students with disabilities. Students seeking reasonable accommodation must first register with the Office of Disability Access (ODA) to verify their eligibility. If a disability is verified, the ODA will provide you with a reasonable accommodation letter to be delivered to faculty to begin a private discussion regarding your specific needs in a course. You may request reasonable accommodations at any time; however, ODA notices of reasonable accommodation should be provided as early as possible in the semester to avoid any delay in implementation. Note that students must obtain a new letter of reasonable accommodation for every semester and must meet with each faculty member prior to implementation in each class. Students are strongly encouraged to deliver letters of reasonable accommodation during faculty office hours or by appointment. Faculty members have the authority to ask students to discuss such letters during their designated office hours to protect the privacy of the student. For additional information, refer to the Office of Disability Access website at <http://www.unt.edu/oda>. You may also contact ODA by phone at (940) 565-4323.

Emergency Notification & Procedures

UNT uses a system called Eagle Alert to quickly notify students with critical information in the event of an emergency (i.e., severe weather, campus closing, and health and public safety emergencies like chemical spills, fires, or violence). In the event of a university closure, please refer to Blackboard for contingency plans for covering course materials.

Retention of Student Records

Student records pertaining to this course are maintained in a secure location by the instructor of record. All records such as exams, answer sheets (with keys), and written papers submitted during the duration of the course are kept for at least one calendar year after course completion. Course work completed via the Blackboard online system, including grading information and comments, is also stored in a safe electronic environment for one year. Students have the right to view their individual record; however, information about student’s records will not be divulged to other individuals without proper written consent. Students are encouraged to review the Public Information Policy and the Family Educational Rights and Privacy Act (FERPA) laws and the University’s policy. See UNT Policy 10.10, Records Management and Retention for additional information.

Acceptable Student Behavior

Student behavior that interferes with an instructor's ability to conduct a class or other students' opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Dean of Students to consider whether the student's conduct violated the Code of Student Conduct. The University's expectations for student conduct apply to all instructional forums, including University and electronic classroom, labs, discussion groups, field trips, etc. Visit UNT's Code of Student Conduct (<https://deanofstudents.unt.edu/conduct>) to learn more.

Access to Information - Eagle Connect

Students' access point for business and academic services at UNT is located at: my.unt.edu. All official communication from the University will be delivered to a student's Eagle Connect account. For more information, please visit the website that explains Eagle Connect and how to forward e-mail Eagle Connect (<https://it.unt.edu/eagleconnect>).

Student Evaluation Administration Dates

Student feedback is important and an essential part of participation in this course. The student evaluation of instruction is a requirement for all organized classes at UNT. The SPOT survey will be made available beginning April 17th to provide you with an opportunity to evaluate how this course is taught. For this semester you will receive an email on from "UNT SPOT Course Evaluations via IASystem Notification" (no-reply@iasystem.org) with the survey link. Please look for the email in your UNT email inbox. Simply click on the link and complete your survey. Once you complete the survey you will receive a confirmation email that the survey has been submitted. For additional information, please visit the SPOT website at www.vpaa.unt.edu/spot or email spot@unt.edu.

Sexual Assault Prevention

UNT is committed to providing a safe learning environment free of all forms of sexual misconduct, including sexual harassment sexual assault, domestic violence, dating violence, and stalking. Federal laws (Title IX and the Violence Against Women Act) and UNT policies prohibit discrimination on the basis of sex, and therefore prohibit sexual misconduct. If you or someone you know is experiencing sexual harassment, relationship violence, stalking, and/or sexual assault, there are campus resources available to provide support and assistance. UNT's Survivor Advocates can assist a student who has been impacted by violence by filing protective orders, completing crime victim's compensation applications, contacting professors for absences related to an assault, working with housing to facilitate a room change where appropriate, and connecting students to other resources available both on and off campus. The Survivor Advocates can be reached at SurvivorAdvocate@unt.edu or by calling the Dean of Students Office at 940-565- 2648. Additionally, alleged sexual misconduct can be non-confidentially reported to the Title IX Coordinator at oeo@unt.edu or at (940) 565 2759.

Student Verification

UNT takes measures to protect the integrity of educational credentials awarded to students enrolled in distance education courses by verifying student identity, protecting student privacy, and notifying students of any special meeting times/locations or additional charges associated with student identity verification in distance education courses.

See UNT Policy 07-002 Student Identity Verification, Privacy, and Notification and Distance Education Courses (<https://policy.unt.edu/policy/07-002>).

Use of Student Work

A student owns the copyright for all work (e.g., software, photographs, reports, presentations, and email postings) he or she creates within a class and the University is not entitled to use any student work without the student's permission unless all of the following criteria are met:

- The work is used only once.
- The work is not used in its entirety.
- Use of the work does not affect any potential profits from the work.
- The student is not identified.
- The work is identified as student work.

If the use of the work does not meet all of the above criteria, then the University office or department using the work must obtain the student's written permission. Download the UNT System Permission, Waiver and Release Form.

Mental Health

UNT provides mental health resources to students to help ensure there are numerous outlets to turn to that wholeheartedly care for and are there for students in need, regardless of the nature of an issue or its severity. Listed below are several resources on campus that can support your academic success and mental well-being:

- Student Health and Wellness Center (<https://studentaffairs.unt.edu/student-health-and-wellness-center>)
- Counseling and Testing Services (<https://studentaffairs.unt.edu/counseling-and-testing-services>)
- UNT Care Team (<https://studentaffairs.unt.edu/care>)
- UNT Psychiatric Services (<https://studentaffairs.unt.edu/student-health-and-wellness-center/services/psychiatry>)
- Individual Counseling (<https://studentaffairs.unt.edu/counseling-and-testing-services/services/individual-counseling>)

Additional Student Support Services

- Registrar (<https://registrar.unt.edu/registration>)
- Financial Aid (<https://financialaid.unt.edu/>)
- Student Legal Services (<https://studentaffairs.unt.edu/student-legal-services>)
- Career Center (<https://studentaffairs.unt.edu/career-center>)
- Multicultural Center (<https://edo.unt.edu/multicultural-center>)
- Counseling and Testing Services (<https://studentaffairs.unt.edu/counseling-and-testing-services>)
- Pride Alliance (<https://edo.unt.edu/pridealliance>)
- UNT Food Pantry (<https://deanofstudents.unt.edu/resources/food-pantry>)

Academic Support Services

- Academic Resource Center (<https://clear.unt.edu/canvas/student-resources>)
- Academic Success Center (<https://success.unt.edu/asc>)
- UNT Libraries (<https://library.unt.edu/>)
- Writing Lab (<http://writingcenter.unt.edu/>)
- MathLab (<https://math.unt.edu/mathlab>)

Chosen Names

A chosen name is a name that a person goes by that may or may not match their legal name. If you have a chosen name that is different from your legal name and would like that to be used in class, please let the instructor know.

Pronouns

Pronouns (she/her, they/them, he/him, etc.) are a public way for people to address you, much like your name, and can be shared with a name when making an introduction, both virtually and in-person. Just as we ask and don't assume someone's name, we should also ask and not assume someone's pronouns. You can add your

pronouns to your Canvas account so that they follow your name when posting to discussion boards, submitting assignments, etc.