RES 9790/LAW 9790
Law of Real Estate Transactions and Land Use Regulations
Professor Jay Weiser -- MW 7:35-8:50 pm – Sp '11
Course Information

A. Contact Information

Professor Jay Weiser
(cell) 917-806-8630 (primary contact number; please use appropriately)
(fax) 917-210-3629 (e-mailed pdfs are preferred to faxes)
(e-mail) jay.weiser@gmail.com
(ofc hr) MW 4:45-5:45 pm (generally in RE Dept., 137 E. 22nd St. 4th Fl.)
          MW 8:50-9:20 (VC 3-120)

I check my e-mail frequently, and try to respond promptly. Texting, calling or e-mailing in advance of a personal meeting is recommended, since I may be in the Real Estate Dept., the Law Dept. (VC 9-225; (ph) 646-312-3570), my remote VC-13 eyrie, CUNY’s 80th St. University Faculty Senate office, or elsewhere.

B. Learning Goals

The course covers real estate law and its institutional setting. Students will understand the institutions that underlie the real estate market, including interests in land, sales, zoning, leasing, property management, brokerage, and mortgage lending. The course seeks to build four student skills:

1. Legal analysis. Through cases and problems, students will learn to identify key issues, make reasoned arguments where there may be no clear answer, and understand the economic implications of legal rules. Many students find, after taking the course, that they have developed their ability to see all sides of an issue.

2. Reading management. Much of the course is taught from technical readings, such as legal documents and law-and-economics literature. Reading management, which is useful in all careers, teaches students to supplement the familiar word-for-word approach they may be familiar with skills in skimming, focusing on key concepts, and close reading of key passages.

3. Speaking. Students teach much of the course in a series of 5-minute presentations on key readings. Through supportive presentation critiques and rubrics with detailed performance suggestions, students will build their extemporaneous speaking skills for technical business topics and learn to support their presentations with readable, interesting graphics.

4. Writing. Students will write a substantial essay on real estate law-related articles from high-quality journalistic, think tank and academic sources. Students will receive detailed comments in a rubric, and will have an opportunity to redraft and polish their essays.
C. Texts

Students will need the *American Law of Real Estate* text book in order to perform adequately in the course. At least half the course is taught from readings on E-Reserve: cases, problems, legal documents and academic and journalistic articles. E-Reserve should not be treated as optional enrichment material.

D. Attendance

This is a pre-professional course that cannot be mastered without preparation and class dialogue. It is your responsibility to manage your time. Your attendance is required, and I will take attendance at each session. **If you go above five absences, you may be dropped from the course and receive a WU grade. There are no excused absences in the course,** and I will not respond to e-mails or messages about absences.

If you arrive late, it is your responsibility to inform me at the end of the session that you are present. If you arrive after attendance is taken, this counts as a half-absence. Excessive lateness or leaving early will count as a full absence, and students will not be admitted to the classroom more than 15 minutes into the session. Cellphone, other non-class-related electronics use or side conversations may result in your being asked to leave, in which case you will get an absence. If you are late in registering, classes that you have missed in the opening weeks count toward your absences. Be there the rest of the way.

If you are unable to attend class, you are responsible for obtaining class notes, materials distributed and homework assignments from your classmates. Therefore, you should get the telephone numbers or e-mail addresses of at least two other students in the class. Blackboard also allows you to e-mail your fellow students.

E. Course Assignments & Grading

1. **Preliminary grade breakdown.**
   a. Homeworks, generally graded pass/fail, A serious effort gets a pass grade. In the past, homeworks have included title reviews, Blackboard-posted short answer questions, and negotiation plans (10% of grade).
   b. In-class presentation (20%).
   c. Midterm (generally 2/3 period) (15%).
   d. Essay (30%)
   e. Final examination (25%).

2. **Assignment submissions.**

In the business world, you are prompt or you are gone. You must post homeworks, essays and presentation slides to [www.turnitin.com](http://www.turnitin.com) no later than the beginning of the class in which they are due. It is your responsibility to show up on time and prepared for your presentation, since failure to do so disrupts the class. Late submissions will be reduced one notch (e.g. B+ to B) for each day late. Absence is no excuse.
I try to provide clear instructions on how to use the technology employed in the course, including turnitin.com. After that, it is your responsibility to master the technology, or alternatively to contact other Baruch student resources for tech support, since I can’t provide it.

A large part of the class is taught through the presentations. If you do not show up for your scheduled presentation, you are disrupting your fellow students’ education, and will receive an F on the presentation and a grade reduction for the course.

3. **Exams**

Exams are generally open book, open notes, open everything. For any exams involving calculations, you should bring a calculator. Other electronics (cellphones, Blackberries, computers) are not permitted in exams.

Exams focus most heavily on material covered in class, but you are expected to do the reading, and some questions may concern items in the reading not discussed in class.

If you have a disability requiring accommodation, it is your responsibility to provide the appropriate documentation from the Office of Disability Services.

F. **Administrative Items**

1. If something you have read or something discussed in class is not clear -- including the technical vocabulary used -- please ask for clarification. It is probably not clear to your fellow students, either. If you’ve done the reading and the lecture is proceeding too rapidly, please let me know while I'm doing it. If you flag it for me while I'm doing it, I can correct it. If you wait until the end of class, I can't go back and re-teach the material.

2. I will use Blackboard for class announcements and materials distribution outside of class. I try to use Blackboard’s e-mail feature to provide additional notice to students. You are responsible for accessing Blackboard where necessary, and for having a functioning Baruch student e-mail account that allows you to receive e-mails that I send from Blackboard.

3. If you bring food or drinks into the classroom, you are responsible for cleaning up your trash at the end of the session.

4. Cell phones and Blackberries must be turned off.

G. **Academic Honesty**

Cheating and plagiarism are serious offenses. The following definitions are based on the College's Academic Honesty website:

Cheating is the attempted or unauthorized use of materials, information, notes, study aids, devices or communication during an academic exercise. Examples include but are not limited to:

Copying from another student during an examination or allowing another to copy your work;
Unauthorized collaborating on a take home assignment or examination;
Using unauthorized notes during a closed book examination;
Using unauthorized electronic devices during an examination;
Taking an examination for another student;
Asking or allowing another student to take an examination for you;
Changing a corrected exam and returning it for more credit;
Submitting substantial portions of the same paper to two classes without consulting the second instructor;
Preparing answers or writing notes in a blue book (exam booklet) before an examination;
Allowing others to research and write assigned papers including the use of commercial term paper services.

Plagiarism is the act of presenting another person's ideas, research or writing as your own:

- Copying another person's actual words without the use of quotation marks and footnotes (a functional limit is four or more words taken from the work of another);
- Presenting another person's ideas or theories in your own words without acknowledging them;
- Using information that is not considered common knowledge without acknowledging the source;
- Failure to acknowledge collaborators on homework and laboratory assignment.

My policy is to apply course sanctions, up to an F grade in the course, where there is cheating or plagiarism. In addition, I am required by College policy to submit a report of suspected academic dishonesty to the Office of the Dean of Students. This report becomes part of your permanent file.

Additional information can be found at [http://www.baruch.cuny.edu/academic/academic_honesty.html](http://www.baruch.cuny.edu/academic/academic_honesty.html), and in the [Student Guide to Academic Integrity at Baruch at http://www.baruch.cuny.edu/facultyhandbook/StudentGuidetoAcademicIntegrity.htm](http://www.baruch.cuny.edu/facultyhandbook/StudentGuidetoAcademicIntegrity.htm). Anyone failing to comply with the Academic Honesty guidelines will receive an F for the course and may be subject to additional sanctions. I will be using www.turnitin.com to check for plagiarism.