

McLennan C O M M U N I T Y C O L L E G E

WACO, TEXAS

COURSE SYLLABUS AND INSTRUCTOR PLAN

RELE 1300.87

Contract Forms and Addenda

ALICIA TROTTER

NOTE: This is an 8-week course.

COVID 19 Notice:

McLennan Community College is committed to providing you with every resource you need to reach your academic goals including your safety. We will continue to monitor the evolving situation with COVID 19 and adjust our safety guidelines to make sure we offer a safe environment for you and our faculty. Please make sure to consult your faculty and the MCC website at <https://www.mclennan.edu/crisis-management/coronavirus-updates/index.html> on any changes to these guidelines.

CONTRACT FORMS AND ADDENDA

RELE 1300.F1

Course Description:

Promulgated Contract Forms, which include, but are not limited to, unauthorized practice of law, broker-lawyer committee, current promulgated forms, commission rules governing use forms, and case studies involving use of forms. Semester Hours 3 (3 lec)

Prerequisites and/or Corequisites:

None

Course Notes and Instructor Recommendations:

Students are expected to participate in class discussion boards, study course material, complete assignments, study assigned reading, and take tests and quizzes as required. Nonparticipation in the above items will have a detrimental impact on grades and credit. Students are encouraged to do outside reading.

Instructor Information:

Instructor Name: Alicia Trotter

MCC Email: alicia@jeffbird.net

Office Phone Number: 479-234-0200

Office Location: 3701 W. Waco Dr., Waco, TX, 76710

Emails are returned within 24 hours of receipt except when received over the weekend or during holidays. Those will be returned the first business day the College is open.

Required Text & Materials:



❗ **REQUIRED**

Texas Promulgated Forms

\$27.60 to \$36.70

Edition: 4th

ISBN: 9781078823623

Author: Santmyer

Publisher: Dearborn Trade, A Kaplan
Professional Company-EMAIL ORDER

Formats: PAPERBACK

Buy

Used ⓘ **\$27.60**

New **\$36.70**

MCC Bookstore Website: <http://www.mclennan.edu/bookstore/>

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Methods of Teaching and Learning:

- Lecture
- Case Studies
- Written Reports/Papers
- Exams
- Quizzes

Course Objectives and/or Competencies:

Unit 1: Contract Law Overview

When you have completed this unit, you will be able to

- 1.1 identify the essential elements of a valid contract;
- 1.2 explain the difference in valid, void, voidable and unenforceable contracts;
- 1.3 distinguish between bilateral and unilateral, and executed and executory contracts;
- 1.4 describe reasonable time and time is of the essence as they apply to Texas real estate contracts and identify which contract forms contain the phrase “time is of the essence”;
- 1.5 distinguish between an amendment and an addendum and describe how and when they are used;
- 1.6 state the statute of limitations for written and oral contracts in Texas;
- 1.7 list reasons for a termination of a contract, including breach of contract.

Unit 2: Laws, Rules, and Regulations

When you have completed this unit, you will be able to

- 2.1 explain and give examples of the exceptions to TRELA/TREC’s rules regarding the use of promulgated forms;
- 2.2 describe the unauthorized practice of law and how to avoid it;
- 2.3 describe the composition and duties of the Broker-Lawyer Committee;
- 2.4 recall how many TREC forms there are and identify whether a TREC form is a promulgated contract, addenda, amendment, resale certificate, notice, consumer disclosure, or if it is an approved option/voluntary use form; and
- 2.5 describe the proper procedure for presenting offers and multiple offers and identify when the offer becomes a contract.

Unit 3: Parties, Property, and the Money

When you have completed this unit, you will be able to

- 3.1 List the information required to complete contract forms;

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- 3.2 Fill out paragraphs 1 through 3 of the One to Four Family Residential Contract and be able to identify the provisions within them;
- 3.3 Identify which items should be included in the Non-Realty Items Addendum
- 3.4 Fill out the financing addenda:
 - Third Party Financing Addendum
 - Loan Assumption Addendum
 - Seller Financing Addendum
 - Addendum for Release of Liability on Assumed Loan and/or Restoration of Seller's VA Entitlement

Unit 4: Covenants, Commitments, and Notices

When you have completed this unit, you will be able to

- 4.1 identify the provisions within paragraphs 4 (License Holder Disclosure) and 5 (Earnest Money) of the One to Four Family Residential Contract;
- 4.2 describe the purpose of option money and how to correctly fill out paragraph 23 (Termination Option) of the One to Four Family Residential Contract;
- 4.3 identify the provisions within paragraph 6 (Title Policy and Survey) of the One to Four Family Residential Contract, including notices 1–10; and
- 4.4 identify the provisions within paragraph 7 (Property Condition) of the One to Four Family Residential Contract.

Unit 5: Closing, Possession, and More

When you have completed this unit, you will be able to

- 5.1 describe the provisions of the closing and possession paragraphs (paragraphs 9 and 10) of the One to Four Family Residential Contract;
- 5.2 describe the proper use of the Buyer's and Seller's Temporary Lease Agreements and the importance of holdover fees in paragraph 19 of those agreements;
- 5.3 discuss what may and may not be included in the Special Provisions paragraph of the One to Four Family Residential Contract;
- 5.4 fill out paragraph 12 (Settlement and Other Expenses) of the One to Four Family Residential Contract and identify the provisions within it;
- 5.5 discuss paragraphs 13–20 of the One to Four Family Residential contract, which describe the rights or agreements of the parties and do not need to be filled out;
- 5.6 describe how to properly fill out paragraphs 21–24 of the One to Four Family Residential Contract;
- 5.7 discuss the proper procedure for executing and communicating the acceptance of the One to Four Family Residential Contract and how the agreement can be changed after execution; and
- 5.8 describe the purpose of the final page of the One to Four Family Residential Contract.

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Unit 6: The Remaining Promulgated Forms

When you have completed this unit, you will be able to

- 6.1 identify the ways in which the other five promulgated contracts differ from the One to Four Family Residential Contract;
- 6.2 describe the proper use of the Residential Condominium Contract;
- 6.3 describe the proper use of the Farm and Ranch Contract;
- 6.4 describe the proper use of the Unimproved Property Contract; and
- 6.5 describe the proper use of the New Home Contracts.

Unit 7: Promulgated Addenda, Notices, and Other Forms

When you have completed this unit, you will be able to

- 7.1 describe the proper use of the Addendum for Sale of Other Property by Buyer;
- 7.2 describe the proper use of the Addendum for Back-Up Contract;
- 7.3 describe the proper use of the Addendum for Reservation of Oil, Gas, and Other Minerals;
- 7.4 identify which forms should be used to communicate termination or a right to terminate, and describe how mutual termination of a contract should be handled;
- 7.5 describe the proper use of the Addendum for Property Located Seaward of the Gulf Intracoastal Waterway, Addendum for Coastal Area Property, Addendum for Property in a Propane Gas System Service Area, and the Addendum for Hydrostatic Testing;
- 7.6 describe the proper use of the Addendum for Property Subject to Mandatory Membership in an Owner's Association;
- 7.7 describe the proper use of the Short Sale Addendum;
- 7.8 describe the proper use of the noncontract forms:
 - Promulgated Resale Certificates
 - Consumer Protection Notice
 - Information About Brokerage Services Form; and
- 7.9 describe the proper use of the remaining optional-use forms: Non-Realty Items Addendum; Texas Real Estate Consumer Notice Concerning Hazards or Deficiencies.

Unit 8: Other Real Estate Matters

When you have completed this unit, you will be able to

- 8.1 describe current forms of fraud and how it affects license holders and the public;
- 8.2 identify on which forms brokers' fees are agreed upon;
- 8.3 identify the protected classes under the fair housing laws in Texas;

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- 8.4 list disclosures that are required, permitted, and prohibited; and
 - 8.5 describe HUD's occupancy standards.

Unit 9: Practice Makes Perfect

When you have completed this unit, you will be able to

- 9.1 complete a sample transaction using these forms:
 - One to Four Family Residential Contract
 - Lead-Based Paint Addendum
 - Third Party Financing Addendum
- 9.2 complete a sample transaction using use forms:
 - One to Four Family Residential Contract
 - Environmental Assessment, Threatened or Endangered Species, and Wetlands Addendum
 - Seller Financing Addendum
- 9.3 complete a sample transaction using
 - Residential Condominium Contract (Resale)
 - Loan Assumption Addendum
 - Addendum for Back-up Contract
 - Addendum for Coastal Area Property
 - Addendum for Property Located Seaward of the Gulf Intracoastal Waterway
 - Addendum for Release of Liability on Assumed Loan and/or Restoration of Seller's VA Entitlement

Course Outline or Schedule:

Tentative Assignment Calendar

**Any Adjustments will be made by a class
announcement**

Due Date	
March 13-19, 2023	CH 1
	CH 2
March 20-26, 2023	CH 3, Scenario 1
	CH 4
March 27-April 2, 2023	CH 5
	Scenario 2, Case Study 1
April 3-9, 2023	CH 6
	Case Stucy 2
April 10-16, 2023	Finish CH 7
	Finish CH 8

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April 17-23, 2023	Case Study 3
	Case Study 4
April 24-May 1, 2023	Case Study 5
May 1, 2023	Final Exam

Course Grading Information:

No student shall receive credit for the course without meeting the attendance requirements as set forth in the College catalog and having a passing grade average on all work. A student who fails may retake the course for credit.

Daily Work/Assignments	20
Chapter Quizzes	20
5 Case Studies	40
Final Examination	20
TOTAL	100

90-100 pts.	A
80-89 pts	B
70-79 pts.	C
60-69 pts.	D
0 – 59 pts.	F

Late Work, Attendance, and Make Up Work Policies:

Students will be considered to be absent from the class if they do not turn in for a given week assignments due that week. Late work will NOT be accepted unless prior arrangements have been made.

Student Behavioral Expectations or Conduct Policy:

Students are expected to maintain classroom decorum that includes respect for other students and the instructor, prompt and regular attendance, and an attitude that seeks to take full advantage of the education opportunity.

[Click Here for the MCC Attendance/Absences Policy](https://www.mclennan.edu/highlander-guide/policies.html)

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Click on the link above for the college policies on attendance and absences. Your instructor may have additional guidelines specific to this course.

Notice of Criminal History

A criminal history may make you ineligible for a Real Estate license. Prior to enrolling in RealEstate courses, you may request a criminal history evaluation. It is recommended that each student review the criminal history eligibility guidelines set out in [Texas Occupations Code](#)

[§53.025](#) and [TREC Rule 541.1](#). You may request a criminal history evaluation by submitting a completed [Moral Character Determination Form](#) to TREC prior to applying for a license.

Updated 11/04/2022

McLennan
C O M M U N I T Y
COLLEGE

ACADEMIC RESOURCES/POLICIES

Accommodations/ADA Statement:

Any student who is a qualified individual with a disability may request reasonable accommodations to assist with providing equal access to educational opportunities. Students should contact the Accommodations Coordinator as soon as possible to provide documentation and make necessary arrangements. Once that process is completed, appropriate verification will be provided to the student and instructor. Please note that instructors are not required to provide classroom accommodations to students until appropriate verification has been provided by the Accommodations Coordinator. For additional information, please visit www.mclennan.edu/disability.

Students with questions or who require assistance with disabilities involving physical, classroom, or testing accommodations should contact:

disabilities@mclennan.edu 254-299-
8122
Room 319, Student Services Center

Title IX:

We care about your safety, and value an environment where students and instructors can successfully teach and learn together. If you or someone you know experiences unwelcomed behavior, we are here to help. Individuals who would like to report an incident of sexual misconduct are encouraged to immediately contact the acting Title IX Coordinator at titleix@mclennan.edu or by calling, Dr. Claudette Jackson, (Diversity, Equity & Inclusion/Title IX) at (254) 299-8465. MCC employees are mandatory reporters and must report incidents immediately to the Title IX Coordinator. Individuals may also contact the MCC Police Department at (254) 299-8911 or the MCC Student Counseling Center at (254) 299-8210. The MCC Student Counseling Center is a confidential resource for students. Any student or employee may report sexual harassment anonymously by visiting <http://www.lighthouse-services.com/mclennan/>.

Go to McLennan's Title IX webpage at www.mclennan.edu/titleix/. It contains more information about definitions, reporting, confidentiality, resources, and what to do if you or someone you know is a victim of sexual misconduct, gender-based violence or the

crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence.

Student Support/Resources:

MCC provides a variety of services to support student success in the classroom and in your academic pursuits to include counseling, tutors, technology help desk, advising, financial aid, etc. A listing of these and the many other services available to our students is available at <http://www.mclennan.edu/campus-resource-guide/>

Academic Support and Tutoring is here to help students with all their course-related needs. Specializing in one-on-one tutoring, developing study skills, and effectively writing essays. Academic Support and Tutoring can be found in the Library and main floor of the Learning Commons. This service is available to students in person or through Zoom from 7:30 am - 6:00 pm Monday through Thursday and 7:30 am - 5:00 pm on Friday. You can contact the Academic Support and Tutoring team via Zoom (<https://mclennan.zoom.us/j/2542998500>) or email (ast@mclennan.edu) during the above mentioned times.

College personnel recognize that food, housing, and transportation are essential for student success. If you are having trouble securing these resources or want to explore strategies for balancing life and school, we encourage you to contact either MCC CREW – Campus Resources Education Web by calling (254) 299-8561 or by emailing crew@mclennan.edu or a Success Coach by calling (254) 299-8226 or emailing SuccessCoach@mclennan.edu. Both are located in the Completion Center located on the second floor of the Student Services Center (SSC) which is open Monday-Friday from 8 a.m.-5 p.m.

Paulanne's Pantry (MCC's food pantry) provides free food by appointment to students, faculty and staff. To schedule an appointment, go to https://mclennan.co1.qualtrics.com/jfe/form/SV_07byXd7eB8iTqJg. Both the Completion Center and Paulanne's Pantry are located on the second floor of the Student Services Center (SSC).

MCC Foundation Emergency Grant Fund:

Unanticipated expenses, such as car repairs, medical bills, housing, or job loss can affect us all. Should an unexpected expense arise, the MCC Foundation has an emergency grant fund that may be able to assist you. Please go to <https://www.mclennan.edu/foundation/scholarships-and-resources/emergencygrant.html> to find out more about the emergency grant. The application can be found at https://www.mclennan.edu/foundation/docs/Emergency_Grant_Application.pdf.

MCC Academic Integrity Statement:

Go to www.mclennan.edu/academic-integrity for information about academic integrity, dishonesty, and cheating.

Minimum System Requirements to Utilize MCC's D2L|Brightspace:

Go to <https://www.mclennan.edu/center-for-teaching-and-learning/Faculty-andStaffCommons/requirements.html> for information on the minimum system requirements needed to reliably access your courses in MCC's D2L|Brightspace learning management system.

Minimum Technical Skills:

Students should have basic computer skills, knowledge of word processing software, and a basic understanding of how to use search engines and common web browsers.

Backup Plan for Technology:

In the event MCC's technology systems are down, you will be notified via your MCC student email address. Please note that all assignments and activities will be due on the date specified in the Instructor Plan, unless otherwise noted by the instructor.

Email Policy:

McLennan Community College would like to remind you of the policy (<http://www.mclennan.edu/employees/policy-manual/docs/E-XXXI-B.pdf>) regarding college email. All students, faculty, and staff are encouraged to use their McLennan email addresses when conducting college business.

A student's McLennan email address is the preferred email address that college employees should use for official college information or business. Students are expected to read and, if needed, respond in a timely manner to college emails. For more information about your student email account, go to www.mclennan.edu/studentemail.

Instructional Uses of Email:

Faculty members can determine classroom use of email or electronic communications. Faculty should expect and encourage students to check the college email on a regular basis. Faculty should inform students in the course syllabus if another communication method is to be used and of any special or unusual expectations for electronic communications.

If a faculty member prefers not to communicate by email with their students, it should be reflected in the course syllabus and information should be provided for the preferred form of communication.

Email on Mobile Devices:

The College recommends that you set up your mobile device to receive McLennan emails. If you need assistance with set-up, you may email Helpdesk@mclennan.edu for help.

You can find help on the McLennan website about connecting your McLennan email account to your mobile device:

- [Email Setup for iPhones and iPads](#)
- [Email Setup for Androids](#)

Forwarding Emails:

You may forward emails that come to your McLennan address to alternate email addresses; however, the College will not be held responsible for emails forwarded to an alternate address that may be lost or placed in junk or spam filters.

For more helpful information about technology at MCC, go to [MCC's Tech Support Cheat Sheet](#) or email helpdesk@mclennan.edu.

Disclaimer:

The resources and policies listed above are merely for informational purposes and are subject to change without notice or obligation. The College reserves the right to change policies and other requirements in compliance with State and Federal laws. The provisions of this document do not constitute a contract.