

University of South Carolina School of Law

Real Estate Transactions II

(Laws 653) Spring 2025

Adjunct Professor Teri K. Callen, Esq.

SYLLABUS

Class Time

Wednesday from 4:55 pm to 7:05 pm in Room 131

Course Objectives

This is a practical “how-to” course covering the fundamentals of real estate transactions from contract to closing. It surveys a wide range of common real estate transactions and related matters. Many of the topics to be covered apply both to commercial and residential/consumer real estate transactions. Some aspects of commercial transactions will be considered, but the primary focus will be on residential transactions. Matters to be covered include estates in land, legal descriptions, purchase and sale agreements, conveyancing documents, recording statutes, chain of title, title issues impacting real estate title and development, title insurance, mortgages, and ethics and lawyer liability issues in real estate transactions. Course assignments will include drafting and reviewing various documents, including purchase and sale agreements, deeds, closing packages, federal mortgage disclosures, settlement statements, promissory notes, and mortgages.

Competencies include: Legal Analysis, Drafting

Contact Information

Office: No offices are designated for Adjunct use but can be reserved upon request.

Work Cell: 803-521-6848 (texting is the most effective)

Email: Teri.Callen@ctt.com

Office Hours: Via TEAMS, Thursdays 2:00 p.m. – 3:00 p.m. and by appointment

In Person, upon request (TBD based on availability)

While questions should be asked/addressed in class, if the student believes certain questions are best handled one-on-one, the student may email/text me to schedule an appointment.

I am available immediately following class while the room is available. If more time is needed, a mutually agreeable appointment can be scheduled.

Course Materials

All course materials are provided on TWEN and are often supplemented throughout the semester. Students must have access to the course materials during class. Printing of certain materials may be helpful but is not required.

Classes are scheduled to be recorded for review later; however, these recordings do not constitute attendance. Access to these recordings is not guaranteed and may not be available. Further, students should note the expiration date for any recordings as they may not be available for the entire semester.

Course Requirements

Students are expected to read all assigned materials, attend all classes, and be prepared to participate in class discussions. Roll will be circulated on a weekly basis for your signature. A student's signature on the roll indicates the student attended the entire class period. You must comply with the LAW STUDENT HANDBOOK and other applicable rules on attendance. Points may be subtracted from your final grade for unexcused absences.

Students are to conduct themselves in a professional manner throughout all aspects of the course. Computer usage is limited to note taking. Use of the internet during class is restricted to coursework only. Students are expected to fully abide by the Rules of Academic Responsibility in the LAW STUDENT HANDBOOK.

Students are to log in to TWEN to access the Real Estate Transactions II course materials or otherwise have the course materials available during class.

Grading and Completion of Coursework

Students will select a "Law Partner" (fellow classmate) to form a "Law Firm" and inform the instructor before the 2nd class. Each "Law Firm" will complete all Assignments and the Final Exam. If the number of students enrolled in the class after drop/add is an odd number, a decision will be made by the Instructor to allow one or more one-person Law Firms. If any student feels strongly that a one-person Law Firm is necessary, the student must notify the Instructor in writing prior to the 2nd class.

The final grade for each student in this course will be based on a combination of the following:

- Participation = 15%
- Contract Drafting Assignment = 15%
- Title Commitment Drafting Assignment = 15%
- Closing Disclosure / CD Drafting Assignment = 15%
- Final Exam/Closing Package = 40%

Graded assignments will be returned by the 3rd class following the respective due date, barring unforeseen circumstances. Extra credit may also be offered at the Instructor's discretion.

This course is subject to the Law School's Grade Normalization Policy.

Course Schedule and Reading Assignments

The course schedule may be amended from time to time. Classes with Guest Lecturers are subject to change. Additions or modifications will be announced in class or by written notification.

The following is the tentative schedule. Students should prepare for each class accordingly and be prepared to discuss the readings and the problems and hypotheticals included in the assignments. *Class participation grades will be based on informed contributions to class discussions .*

Reading assignments will be clarified at the end of each class for the following class. If not specifically discussed, students should follow the reading schedule set forth below.

January 15, 2025

(First Reading Assignment posted)

Course Introduction / Review of Syllabus; THE CLOSING CYCLE: Real Estate Closings Overview; Real Estate Contracts & the S.C. Real Estate Attorney

Contract Assignment Handout & Discussion

ASSIGNMENT FOR NEXT CLASS: (1) Read/Review Materials in "Real Estate Contracts" folder on TWEN; and (2) Select "Law Partner" for your "Law Firm"

January 22, 2025

CONTRACT DRAFTING: Self-directed, **in-class** Work Session (*Prof. Callen is out of the country*)
ASSIGNMENT DURING CLASS: Finalize Law Firms and Draft Initial Real Estate Contract.

ASSIGNMENT FOR NEXT CLASS: Be prepared for in-class discussion of your Law Firm's choices of terms and conditions in your contract

January 29, 2025

IN-CLASS REVIEW & DISCUSSION OF Draft Contracts & Tidbits on Trusts

ASSIGNMENT FOR NEXT CLASS: (1) Finalize Contract Assignment and turn in via TWEN prior to start of 2/5/2025 class; and (2) Read/Review Materials in "Title Searches & Examination of Title" folder on TWEN

February 5, 2025

>Contract Assignment DUE – Turn in via TWEN **before** beginning of class<

Title Search Basics & Title Examination Explained

How to Read Search Docs to Identify Title Encumbrances/Defects

ASSIGNMENT FOR NEXT CLASS: Read/Review Materials in "Surveys" folder on TWEN

February 12, 2025

How to Read Surveys to Identify Title Encumbrances/Defects

ASSIGNMENT FOR NEXT CLASS: Read/Review Materials in "Title Insurance–Title Commitment –Title Policy" folder on TWEN

February 19, 2025

Title Insurance – Title Commitments & Policies

Interpreting & Translating the Title Examination

Title Commitment Assignment Handout & Discussion (LAW FIRM)

ASSIGNMENT FOR NEXT CLASS: Draft initial Title Commitment and be prepared for in-class discussion of your Law Firm's choices for each Schedule.

February 26, 2025

Title Commitment Drafts: IN-CLASS REVIEW & DISCUSSION

S.C. Supreme Court's Guidelines on Residential Closings & Overview of SC Deed Forms

ASSIGNMENT FOR NEXT CLASS: (1) Finalize Title Commitment Assignment and turn in prior to start of 3/5/2025 class and (2) Read/Review Materials in "TRID-RESPA-TILA-FED MTG LAWS" folder on TWEN, especially the sample Closing Disclosures

,March 5, 2025

>Title Commitment Assignment DUE – Turn in via TWEN **before** beginning of class<

CFPB – TRID RULE & INTEGRATED DISCLOSURES

Federal Mortgage Regulations: RESPA / TILA / REGS X & Z

Drafting a Closing Disclosure/CD

ASSIGNMENT FOR NEXT CLASS: Draft initial Closing Disclosure/CD and be prepared for in-class discussion

SPRING BREAK (March 8– 16)

March 19, 2025

Drafting the Closing Disclosure (CD): IN CLASS REVIEW, DISCUSSION & WORK SESSION

Discussion of Final Exam Handout (LAW FIRM)

ASSIGNMENT FOR NEXT CLASS: (1) Read/Review Materials in “Closings Documents” folder on TWEN; and (2) Review Lender Closing Instructions, Note, Mortgage, and Buyer and Seller Documents provided in Final Exam Handout

March 26, 2025

Closing Packages & Settlement Statements / Wearing Multiple Hats: Complying with Demands of Lender, Client & Underwriter

ASSIGNMENT FOR NEXT CLASS: (1) Finalize Closing Disclosure/ CD Assignment and bring to 4/2/2025 class; (2) Read/Review Materials in “Real Estate Documents and Entities & Fiduciaries” folder on TWEN.

April 2, 2025

>Closing Disclosure/CD Assignment DUE - Bring it with you to class<

WORK SESSION: Page-by-page review of Closing Disclosure Assignment (final CD will be submitted and graded as part of the Final Exam)

Drafting Deeds for Closings & Discussion of Authority: Entities & Fiduciaries

ASSIGNMENT FOR NEXT CLASS: (1) Prepare “rough draft” of the Deed for your transaction and be prepared to discuss (final Deed will be submitted and graded as part of the Final Exam); (2) Bring draft of Final Exam package and come prepared with questions for discussion in class.

April 9, 2025

4:55-5:10 - Class Evaluations - BRING YOUR LAPTOPS

IN CLASS REVIEW, DISCUSSION & WORK SESSION - Discussion about date for out-of-class work session*

ASSIGNMENT FOR NEXT CLASS: Work on Final Exam package.

April 16, 2025

IN CLASS REVIEW, DISCUSSION & WORK SESSION

(Students who are prepared to turn in their Final Exam may do so at the end of class.)

April 23, 2025

FINAL EXAM DUE / SUBMIT:

- By 5:00 PM via TWEN or Email
- Between 4:00–5:00 PM via hand-delivery to Instructor at Adjunct Office (Room #TBA)

Students must confirm Instructor’s receipt of Final Exam no later than 5:30 PM on 4/23/2025.

*Additional Exam work sessions may be offered during non-class hours, as needed/requested.