

Preface

INTRODUCTION

The sixth edition is a strong reworking of the previous edition, which was itself a major reworking of the base material. The fifth edition came in on the heels of the Great Recession and the dramatic changes to the real estate world that it ushered in. Dodd-Frank and other changes have now had time to become established procedure for borrowers and lenders. Under other circumstances, this sixth edition might simply be seen as a minor revision.

Then the Great Pandemic hit. COVID-19 and its variants have changed the world. This impact has been felt in every pocket of society, and it has had a dynamic impact on the day-to-day practice of real estate. From “parking lot” closings to Zoom conferences, real estate professionals of every type have had to adjust to new behaviors while waiting for society to return to normal. At the time of this writing, “normal” remains as elusive as ever. The pre-2019 approach to the practice of law may never return. In acknowledging both the large and small changes that the pandemic has brought on the practice of law, this edition has undergone major changes. Predictable, stable, and long-entrenched practices from inspecting a home to conducting a closing have all gone through dramatic changes.

Among the new features of this text is a section directly addressing the impact that COVID-19 has had on real estate law practice. Appropriately named “COVID-19 Concerns,” this new element focuses on current and possible changes to real estate practice. In addition, the author has provided another new feature, “Real World Perspectives,” which provides the reader with interview excerpts from real estate paralegals, real estate brokers, and others on the practical aspects of real estate law, including the challenges brought on by mask mandates, nationwide moratoriums on evictions, and many other aspects. Case excerpts have also been updated to reflect new developments in many areas of real estate law. The author has updated the materials as much as possible, while continuing to lay a proper foundation in real estate law that covers topics as diverse as the basics of fee simple ownership, landlord-tenant law, restrictive covenants, closing procedures, and taxation, to name just a few.

As in previous editions, the day-to-day practice of law is never far from consideration of the material presented. The text continues to place a strong emphasis on practical applications of real estate law. The author has also extensively updated the graphs, exhibits, and other visual aids. The data show some interesting trends in home ownership, rental rates, and other aspects of real estate law. Ethical issues continue to be a paramount concern. The author emphasizes various ethical issues in every chapter. End-of-Chapter material has also changed, providing sample test questions for the

student, including essay, fill in the blank, true/false, and multiple choice questions with the answers provided in the Appendix. There will also be substantial changes to the Instructor's Manual by adding sample syllabi, lesson plans, presentation suggestions, expanded Power Point slides, and suggested video clips available online. All of this is intended to help the instructor with as much ancillary materials as possible.

FEATURES

The book was designed with the reader in mind. The text presents the material in a variety of methods to tap into different learning styles. Many examples of actual documents are provided as figures throughout each chapter. In addition, various features lend a strong visual element to the text. The features found in the text include the following:

■ Chapter Objectives

Each chapter begins with clearly stated learning objectives to guide readers in their studies.

■ Real Estate Basics at a Glance

Scattered throughout each chapter are small synopses of issues discussed in the chapter. These synopses are positioned adjacent to the material under discussion, not only as a way of helping the reader synthesize important issues, but also as a visual marker for later study.

■ Definitions

As each new term is introduced, it is also defined for the student. These on-the-spot definitions provide a handy reference.

■ Examples

Each chapter contains not only discussions of the theoretical underpinnings of law, but also practical examples to assist the student in building the reasoning skills needed to succeed in the legal field.

■ Annotated Documents

In addition to the documents provided as figures throughout the text, each chapter contains one relevant annotated document to highlight the practical application of issues discussed in the chapter.

■ Ethics

Ethics is a vital component of any legal text, so the ethical implications of a real estate practice are emphasized in each chapter. In order to emphasize the important role that ethics plays in law, each chapter contains a separate ethical discussion.

■ Skills You Need in the Real World

The text places strong emphasis on balancing theoretical discussion with practical examples. This is readily apparent in the "Skills" section found at the

conclusion of each chapter. Here, the author addresses how the student can build an entire skill set, from researching public records to drafting property descriptions.

■ **Case Excerpts**

Each chapter contains a case excerpt designed to emphasize some of the points raised in that chapter and to provide material for classroom discussions. These cases have been updated to reflect recent changes in the law since the publication of the first edition.

■ **Case Questions**

At the conclusion of each case are questions relevant to that case that spur classroom discussion and ask the student to relate the case to the material brought out in each chapter.

■ **Chapter Summary**

Each chapter contains a concise summary of the major issues discussed. This feature helps readers focus on the important points raised in the chapter.

■ **Review Questions**

Extensive review questions test the student's comprehension of the issues under discussion. These review questions, coupled with the Discussion Questions, provide rich material for classroom discussions. Answers to these review questions are now provided in the Appendix, allowing students to compare their answers to the ones provided by the author.

■ **Applying What You Have Learned**

In this section, the reader is asked to apply the theoretical knowledge from the chapter to practical aspects of real estate law. These applications vary from preparing title examination documents, researching zoning regulations to creating drawings based on real estate property descriptions.

■ **Websites**

The Internet is becoming an increasingly vital link for students, and a list of web sites is included at the end of each chapter to assist students in gathering more information about the chapter topics. Web sites in each chapter focus on important real estate concepts or provide direct access to the amazing amount of detail currently provided about real estate topics, including access to public documents.

■ **Key Terms and Concepts**

A list of key terms and phrases used in each chapter assists the student in mastering the concepts presented.

■ **Tech Topic**

In addition to discussing the ever-expanding role of technology in real estate practice, the author has revised this feature to discuss new technology and the impact that it has had in many different areas of real estate law.

■ **Sample Quizzes in Different Formats**

The text has also been revised to include new sections with sample quizzes in several formats that allow students to check their progress in their comprehension of the materials. Answers to all these questions are provided in the Appendix.

■ **COVID-19 Concerns**

Given the overall impact that the COVID-19 pandemic has had on the world, it is little wonder that it would also have had a continuing impact on real estate law. Each chapter contains a separate section discussing the current and possible impacts of the global pandemic on diverse areas of real estate practice and law.

■ **Non-Gender Specific Language**

In recognition of the changing face of pronoun use and the impact that gender-specific language has on readers, the author has endeavored to avoid the use of gender specific pronouns whenever possible.

PEDAGOGY

The following features are included in the text to take advantage of different student learning styles:

- Learning objectives stated at the beginning of each chapter
- Terms and legal vocabulary in bold and defined immediately for the student; also listed in the Glossary for later reference
- Many different forms of visual aids that illustrate crucial points
- “Real World Perspectives” to allow the student to hear about various aspects of real estate law in the voices of the people who practice it
- Lesson plans in the instructor’s manual that provide alternative presentations of the material
- End-of-chapter questions, activities, and assignments to hone the student’s understanding
- End-of-chapter ethical discussion
- Websites for further research and/or discussion

INSTRUCTOR’S MANUAL

The author has developed an extensive instructor’s manual to accompany the text. This instructor’s manual provides a wealth of resources for the instructor. The instructor’s manual and other ancillary materials are available to download at the companion website to accompany the text, at www.aspenlawschool.com/bevans_realestate3.

■ **Suggested Syllabi**

Suggested syllabi are provided for various versions of an Introduction to Law course, including alternate syllabi for instructors who emphasize theoretical over practical, or practical over theoretical.

■ Lesson Plans

The author provides several different lesson plans to help instructors who must present introductory courses in 6-, 8-, 10-, 12-, or 16-week formats.

■ Chapter Lecture Outline and Discussion

Each chapter is outlined for the instructor and annotations are provided throughout the outline to provide additional discussion and classroom material for the instructor.

■ Additional Web Resources

The instructor's manual also contains additional websites to provide other resources for classroom discussion and assignments.

■ Additional Assignments

In addition to the chapter review questions and discussion questions, the author also provides more assignments in the instructor's manual.

■ Answers to Review Questions and Discussion Questions

The end-of-chapter review questions are answered in detail. The author also provides suggested answers for the discussion questions.

■ Test Bank

The test bank includes a variety of test questions, including:

Essay Questions (five per chapter)

Short Answer (ten per chapter)

Multiple Choice (25 per chapter)

True-False (ten per chapter)

■ Additional Instructor's Materials**1 Power Point Slides**

The author has prepared a PowerPoint® presentation for each chapter of the text.

2 Additional Cases

Additional cases are provided for classroom discussion. These can be used in a variety of ways, including as lecture handouts and additional assignments.