COURSE NUMBER: RELE 2301
COURSE TITLE: LAW OF AGENCY
CREDIT HOURS: 3 LECTURE HOURS: 3
PREREQUISITES: NONE

TEXTBOOK:


SUPPLIES:

Note taking material

COURSE DESCRIPTION:

A study of law of agency including principal-agent and master-servant relationships, the authority of an agent, the termination of an agent’s authority, the fiduciary and other duties of an agent, employment law, deceptive trade practices, listing or buying procedures, and the disclosure of an agency. 3 credit hours.

COURSE LEARNING OBJECTIVES:

After successful completion of this course, the student should be able to:

1.0 DEMONSTRATE A WORKING KNOWLEDGE OF THE PRINCIPLES OF AGENCY AND HOW IT CAN BE CREATED AND TERMINATED.
1.1 Define the term “agent” and describe the nature of the relationship between the agent and the principal.
1.2 List and describe the parties to an agency agreement.
1.3 Distinguish between express and implied authority.
1.4 Explain how the agency relationship can be created.
1.5 Discuss the importance of disclosure of an agency relationship

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1.6 Explain the duties owed by the agent to the principal.
1.7 Explain the duties owed by the agent to third parties.
1.8 List the ways in which the agency relationship can be terminated.

2.0 DEMONSTRATE A WORKING KNOWLEDGE OF AGENCY RELATIONSHIPS IN A REAL ESTATE TRANSACTION.
2.1 Define and explain the differences between single agency, dual agency, and intermediary status.
2.2 Describe and distinguish the level of service that a licensee should give to a principal and to a customer.
2.3 Give examples of situations/persons where representation is recommended.
2.4 Discuss the dangers involved in practicing dual agency.
2.5 Describe the method of disclosing the agency relationship.
2.6 Discuss sub agency and how it works and the liability of the agent for the sub agent.
2.7 Identify reasons for suspension or revocation of a real estate license.

3.0 DEMONSTRATE A WORKING KNOWLEDGE OF LISTING AGREEMENTS.
3.1 Distinguish between an open listing, an exclusive agency listing and an exclusive right to sell listing.
3.2 Discuss the hazards of a net listing.
3.3 Complete a listing agreement.
3.4 Discuss the TRELA requirements for collecting a commission.
3.5 State when a commission is earned and when it is payable.

4.0 DEMONSTRATE A WORKING KNOWLEDGE OF THE RELATIONSHIP BETWEEN A BROKER AND A SALESPERSON.
4.1 Explain the difference between a broker and a salesperson.
4.2 Distinguish between an employee and an independent contractor.
4.3 Explain who may receive a commission in Texas and with whom a licensee may split a commission.

5.0 DEMONSTRATE A WORKING KNOWLEDGE OF THE PROPERTY CONDITION DISCLOSURE REQUIREMENTS AND THE TEXAS DECEPTIVE TRADE PRACTICES ACT.
5.1 Distinguish between misrepresentation and fraud.
5.2 Define a “latent” defect and a “patent” defect.
5.3 Explain what constitutes a violation of the Texas Deceptive Trade Practices Act and give examples of violations.
5.4 Discuss the remedies for violation of the DTPA.
5.5 State the TRELA requirements in regard to fraud and misrepresentation.
5.6 Discuss the agent’s professional opinion exception to the DTPA.
5.7 State when the Seller’s Disclosure of Property Condition must be used in a real estate transaction and the exceptions to its use.
5.8 Explain the consequences for failure to provide the Seller’s Disclosure of Property Condition when it is required.

6.0 DEMONSTRATE A WORKING KNOWLEDGE OF TECHNOLOGY APPLICABLE TO REAL ESTATE MATTERS.

6.1 Locate information on the Texas Real Estate Commission web site.
6.2 Locate information on the Real Estate Center web site.
6.3 Locate and use various websites giving real estate information to the consumer.
6.4 Locate and use various real estate brokerage companies web sites.

COURSE REQUIREMENTS:

In order to receive a passing grade you must do all of the following:

1. Take final exam and achieve a minimum grade of 420 points.
2. Complete attendance requirements.
3. Achieve a minimum of 600 points.

COURSE FORMAT: Lecture

METHOD OF EVALUATION:

The grading scale is based on the total points earned.

<table>
<thead>
<tr>
<th>POINTS REQUIRED FOR GRADE</th>
<th>TOTAL POSSIBLE POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A =90% = 900-1000</td>
<td>Quizzes 400</td>
</tr>
<tr>
<td>B =80% = 800-899</td>
<td>Final Exam 600</td>
</tr>
<tr>
<td>C =70% = 700-799</td>
<td>Total 1000</td>
</tr>
<tr>
<td>D =60% = 600-699</td>
<td></td>
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1000 points will be used for the base.

QUizzes:

Four quizzes worth 100 points each will be given. THERE WILL BE NO MAKEUP QUIZZES. Instructors may, at their option, give a 5th quiz and allow the student to drop their lowest grade.

FINAL EXAM:

The final exam will be comprehensive in nature. The final exam will be a major factor in the student's grade and will be worth a maximum of 600 points. The student must receive a minimum of 420 points on the final in order to pass the course, regardless of the total points earned.
RESEARCH PROJECT:

A written or oral research project may receive up to a maximum of 100 points of extra credit. The project and method of presentation must be approved by the instructor. The project must include at least three sources (printed, interview, video, etc.) for the information presented and must be in addition to the required textbook. These sources must be identified (on a separate page from the report) in such a manner that the instructor can readily locate the source. For example a newspaper source should listed as the paper, section, page and date; an interview should give the person's name, position or occupation, company, address and telephone number; a book should be listed by the title, publisher, date, chapter and page.

A written project must be typed, double spaced, and be no less than 3 full pages of substantive material exclusive of title pages, bibliography, indexes, etc. An oral project should be a presentation between ten to twenty minutes in length and must include a written, one-page outline of the material and a list of the material and a list of the sources as set forth above. The same project may not be used for more than one class. This is to be your original work; plagiarism / copying is not acceptable. Failure to adhere to these requirements will result in less full credit or no credit for the project.

ATTENDANCE POLICY:

A maximum of two class sessions (cumulative maximum of 8 hours) may be missed. Arriving late or leaving early will be counted against the allowable 8 hours. If you have missed more than 2 class sessions or 8 hours total you will receive a failing grade for the course.

You are responsible for finding out the materials missed and you must select a classmate to advise you of the materials you missed, any changes in schedule and to collect materials for you for the days that you are late or absent.

Please see the schedule of classes for the last day to withdraw. Religious Holy Days: please refer to the current Collin Student Handbook.

ADA STATEMENT:

It is the policy of Collin county Community College to provide reasonable accommodations for qualified individuals who are students with disabilities. This College will adhere to all applicable federal, State and local laws, regulations and guidelines with respect to providing reasonable accommodations as required to afford equal educational opportunity. It is the student’s responsibility to contact the ACCESS office, SCC-G200 or 972.881.5898 (V/TTD:972.881.5950) in a timely manner to arrange for appropriate accommodations.
ACADEMIC ETHICS:

The College District may initiate disciplinary proceedings against a student accused of scholastic dishonesty. Scholastic dishonesty includes, but is not limited to, statements, acts, or omissions related to applications for enrollment or the award of a degree, and/or the submission as one’s own work material that is not one’s own. Scholastic dishonesty may involve, but is not limited to, one or more of the following acts: cheating, plagiarism, collusion, use of annotated texts or teacher’s editions, and/or falsifying academic records.

**Plagiarism** is the use of an author’s words or ideas as if they were one’s own without giving credit to the source, including, but not limited to, failure to acknowledge a direct quotation.

**Cheating** is the willful giving or receiving of information in an unauthorized manner during an examination, illicitly obtaining examination questions in advance, copying computer or Internet files, using someone else’s work for assignments as if it were one’s own, or any other dishonest means of attempting to fulfill the requirements of a course.

**Collusion** is intentionally aiding or attempting to aid another in an act of scholastic dishonesty, including but not limited to, providing a paper or project to another student; providing an inappropriate level of assistance; communicating answers to a classmate during an examination; removing tests or answer sheets from a test site, and allowing a classmate to copy answers.
**AGENCY – FIVE WEEK SCHEDULE**  
**TENTATIVE OUTLINE, SCHEDULE & QUIZZES**

<table>
<thead>
<tr>
<th>SESSION</th>
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| 1       |         | Introduction to Course  
|         |         | Syllabus Review |
| 2       | 1       | Agency Concepts  
|         | 2       | Basic Agency Relationships & Duties |
| 3       | 4       | Creation & Termination of Agency  
|         |         | QUIZ 1 |
| 4       | 8 & App. B | Representing More Than One Party  
|         | 9       | Single Agency |
| 5       | 5       | QUIZ 2  
|         | 6       | Seller Agency (Listings)  
|         | 7       | Buyer Agency  
|         |         | Sub-Agency |
| 6       | 10 & App. B | Clarifying Agency Relationships  
|         |         | QUIZ 3 |
| 7       | 11      | Employment Issues  
|         | 3       | Disclosure & Duties to Third Parties |
| 8       | 12      | Texas Deceptive Trade Practices Act  
|         | 13      | Putting it All Together  
|         |         | QUIZ 5  
|         |         | PAPERS OR OUTLINES DUE |
| 9       |         | Open session – as per class needs |
| 10      |         | Final Exam |

Appendix A should be read as referenced in each Chapter. The Glossary of Terms should be referred to for the definition of terms.

The quizzes cover the assigned Chapter(s), designated lecture material, and any class handouts.

The schedule denotes the sequence in which materials will be presented and the approximate sessions in which they will be presented. The instructor may modify this schedule to meet class needs. You must select a class mate to keep you advised of any changes and to collect materials for you for the days your are late or absent from class.
# AGENCY – WEEKEND SCHEDULE
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Disclosure & Duties to Third Parties |
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**QUIZ 5**  
Putting it All Together  
PAPERS OR OUTLINES DUE |
| 9       |         | Review  
**FINAL EXAM** |

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