



**CONVEYANCING  
PRELIMINARY SYLLABUS**

**Fall 2024**



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The casebook for the course, *Modern Land Transactions*, is an electronic casebook I created specifically for a course focusing on the practice of law primarily in Massachusetts (with some attention paid to New Hampshire). It follows the Syllabus and is available on the TWEN site. You should consult both the Syllabus and Casebook throughout the course. (I am currently updating the casebook and will have the updated version posted on the TWEN site before the start of classes. I will revise this syllabus to include updated pages for you to read each week.)

You will receive several out-of-class assignments in many of the classes. All materials related to each assignment will be made available on the TWEN site when the assignment is made (usually, a week before the assignment is due). You are to file each assignment electronically (unless otherwise instructed) prior to the beginning of the class at which the assignment is due. The assignments are not particularly difficult and are designed to allow you to learn and demonstrate some of the skills employed by real estate attorneys. Just as attorneys are required to produce documents promptly, so shall you. I will not accept assignments submitted after 4:35 p.m. on the day it is due, even if you are not in class on that day. If you miss a class, it is still your responsibility to ensure that the professor receives the assignment on or before the date and time it is due. (The only exception to this will be for medical or personal issues that one can objectively consider to be extraordinary.) It is also your responsibility to make arrangements with the professor to retrieve the materials for the next assignment so that you can ensure that it is turned in timely.

The assignments will comprise 35 percent (35 of 100 points) of your grade. The following is template I will use to evaluate each assignment:

Assignment No. \_\_\_\_\_

Student: \_\_\_\_\_

Instructions/Completion:

Did the student follow the instructions and complete the assignment fully?

Depth of Research:

Did the student appear to spend time finding relevant information from outside the casebook and classroom in order to make the project as good as possible?

Appearance/Grammar:

In terms of appearance, grammar, spelling and syntax, did the student submit a professional product?

Thoughtfulness/Command:

Did the student put adequate thought into the final product? Did s/he grasp the facts

and issues of law involved, and deal with them appropriately?

	Possible Points	Given Points	Comments
Instructions/Completion	1		
Research	1		
Appearance	1		
Thoughtfulness	2		
<b>TOTAL</b>	<b>5</b>		

Your final grade will be comprised as follows:

Assignments: 35%  
Final Exam: 65%

### THE ORDER OF THE COURSE

#### Week 1

- The Attorneys' Roles in Real Estate Transactions
- The Brokerage Agreement between Seller and Broker
- The Massachusetts Offer to Purchase.

#### Week 2

- The Purchase and Sale Agreement (Contract of Sale)
  - The Statute of Frauds
  - Drafting Considerations

#### Week 3

- Other Agreements between Prospective Sellers and Buyers
  - The Option to Purchase

- The Right of First Refusal
- Due Diligence Prior To Closing
  - Title Examination

#### **Week 4**

- Due Diligence Prior To Closing
  - Title Examination (continued)
  - Title Insurance

#### **Week 5**

- Due Diligence Prior To Closing
  - Title Insurance (continued)
  - The Physical Condition of the Premises

#### **Week 6**

- Other Considerations During the Due Diligence Period
  - The Deed

#### **Week 7**

- Other Considerations During the Due Diligence Period.
  - The Mortgage

#### **Week 8**

- Other Considerations During the Due Diligence Period
  - Condominiums

#### **Week 9**

- Other Considerations During the Due Diligence Period

- The Buyer's Choice of an Ownership Entity

### **Week 10**

- The Closing
  - Preparing for the Closing

### **Week 11**

- The Closing
  - Closing Day
    - Conducting the Closing

### **Week 12**

- The Closing
  - Closing Day
    - Recording

### **Week 13**

- The Closing
  - Post Closing Issues

### **Week 14**

- Nonperformance and Nonperformance Remedies

### **Week 15**

- Catchup Week