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LAND TRANSFER
AND FINANCE
Cases and Materials

*Sixth
Edition*



Wolters Kluwer

Law & Business

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Land Transfer and Finance

Cases and Materials

Sixth Edition

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Summary of Contents

Contents	ix
Preface	xxv
Acknowledgments	xxvii
Chapter 1: The Professional and the Land Transaction: Brokers and Lawyers	1
Chapter 2: Basic Financing Considerations of the Real Estate Transaction	97
Chapter 3: Basic Tax Considerations of the Real Estate Transaction	335
Chapter 4: Contracts of Sale	389
Chapter 5: Title Protection	503
Chapter 6: Common Interest Communities: Co-ops, Condos, and Homeowners Associations	733
Chapter 7: Advanced Topics in Land Finance	841
Appendix A: Glossary of Real Estate Terms	1059
Appendix B: Exclusive Authorization and Right to Sell (Multiple Listing)	1067
Appendix C: California Residential Purchase Agreement, and Joint Escrow Instructions	1071
Appendix D: Multistate Adjustable Rate Note	1079
Appendix E: Mortgage: New York — Single Family	1087
Appendix F: Deed of Trust	1107
Appendix G: Warranty Deed	1123
Appendix H: Settlement Statement	1125
Table of Cases	1127
Index	1131

Preface

The scope and organization of this sixth edition reflect our belief that virtually every real estate transaction draws upon the lawyer's knowledge of relevant contract, financing, taxation, and titles doctrine and upon his or her familiarity with the institutional context of the real estate market. Thus, the book is both doctrinal and institutional — sometimes heavily one, sometimes heavily the other. The sections on finance and title insurance, for example, stress the descriptive, whereas the section on the “contract of sale” reinforces the doctrinal and analytical skills students have been gaining since the first day of law school. We have tried for a balance to suit our own tastes and, we hope, those of other instructors.

We have written this book for a nationwide market, fully cognizant, however, that land law has many local variations. We expect that a teacher may want to key into the text statutes, forms, and even court decisions to illustrate the practice of the community where the students are most likely to work. At the same time, we believe that real estate transactions, like commerce in goods, are undergoing a strong nationalizing influence, and we hope that the book reflects this trend.

As with many casebooks, we are certain that more than one way will be found in which to organize and teach the materials inside. For example, those teaching a two-unit course may decide to assign only Chapters 2, 4 and 5. Those offering an advanced course in land transaction problems may concentrate on Chapters 6 and 7. Other teachers of a basic land transaction course no doubt will find coverage of all seven chapters appropriate, with perhaps selective omission consistent with the teacher's priorities.

June 2011

Quintin Johnstone
Marshall Tracht

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Land Transfer and Finance

Contents

Preface	xxv
Acknowledgments	xxvii

Chapter One

The Professional and the Land Transaction: Brokers and Lawyers	1
A. The Role of the Broker	1
Note	2
Currier, Finding the Broker's Place in the Typical Residential Real Estate Transaction	4
Notes	12
Federal Trade Commission, The Residential Real Estate Brokerage Industry	13
Note, Sub-Agency in Residential Real Estate Brokerage: A Proposal to End the Struggle with Reality	15
<i>In re Opinion No. 26 of the Committee on the Unauthorized Practice of Law</i>	19
Notes and Questions	27
B. Brokers' Duties to Buyers, Sellers, and Other Parties to Real Estate Transactions	29
<i>Daubman v. CBS Real Estate Co.</i>	30
Notes	37
<i>Haldiman v. Gosnell Development Corp.</i>	37
Note	41
<i>Haymes v. Rogers</i>	42
Notes	45
<i>Easton v. Strassburger</i>	46
Notes and Questions	54
C. Buyer's and Seller's Duties to Broker	56
<i>Blank v. Borden</i>	56
Notes and Questions	61
<i>Dworak v. Michals</i>	62
Notes and Questions	66
D. The Role of the Lawyer	67

American Bar Association, Special Committee on Residential Real Estate Transactions, Residential Real Estate Transactions: The Lawyer's Proper Role	67
Symposium on the Future of the Legal Profession, Comments of Barry Hawkins on the Future of the Legal Profession in Connecticut	72
Questions	73
Goldstein & Weber, The Art of Negotiating	74
E. Lawyers' Duties to Buyers, Sellers, and Other Parties Real Estate Transactions	81
<i>In the Matter of Dolan</i>	82
Notes and Questions	93
<hr/>	
Chapter Two	
<hr/>	
Basic Financing Considerations of the Real Estate Transaction	97
A. The Mortgage Market	97
Malloy, The Secondary, Mortgage Market—A Catalyst for Change in Real Estate Transactions	100
Notes	102
1. What Started the Recent Recession	103
2. Federal Government Responses to the Recent Recession as That Recession Affected the Home Mortgage Market	104
Questions	106
B. Major Mortgage Lending Institutions	106
1. Commercial Banks	106
2. Savings Institutions	107
3. Mortgage Companies	108
4. Mortgage Securitizers	108
Johnstone, Private Mortgage Insurance Note	108
5. Other Mortgage Lenders	110
C. Mortgage Insurers	111
Johnstone, Private Mortgage Insurance	112
D. Mortgage Provisions	114
1. Down Payment and the Loan-to-Value Ratio	114
2. Length of Mortgage	117
a. "Due-on" Clauses	118
Notes and Questions	120

b.	Mortgage Prepayment	120
	<i>Peter Fuller Enterprises v. Manchester Savings Bank</i>	120
	Notes and Questions	123
3.	Rate of Interest	125
a.	Introduction	125
b.	Adjustable Rate Mortgages	125
c.	Limitations on the Lender's Return: Usury	128
(1)	Usury Laws — Historical Antecedents	129
	Salin, Usury	129
	Note	131
(2)	Selected Usury Issues	131
(a)	When Is a Transaction "Usurious"?	131
	<i>Moran v. Kenai Towing and Salvage, Inc.</i>	132
	Notes and Questions	134
(b)	Exempt Transactions	136
	<i>Feller v. Architects Display Buildings, Inc.</i>	136
	Notes and Questions	139
(c)	The Penalties for Usury	140
	<i>Szerdahelyi v. Harris</i>	140
	Notes and Questions	144
(d)	Federal Preemption	145
	Notes and Questions	145
4.	Method of Amortization	146
5.	Casualty Insurance Requirement	148
	<i>Omni Berkshire Corp. v. Wells Fargo Bank</i>	149
E.	Alternative Mortgage Instruments	156
	Levin & Roberts, Future Forms of Financing —	
	Lending Devices, Addressed to	
	Inflation and Tight Money	157
	Note	162
F.	Basic Security Transactions	163
1.	Forms of Security Devices	163
a.	The Mortgage	163
b.	The Trust Deed Mortgage (Deed of Trust)	165
c.	The Deed Absolute	166
	Restatement of the Law Third, Property,	
	Mortgages (1997)	166
	Notes	167
d.	The Installment Land Contract	167
	Notes	169
	Problem	169
e.	Miscellaneous Security Devices	170
2.	Junior (or Secondary) Mortgage Financing	170
a.	Conventional Second Mortgage	170
b.	The Wraparound Mortgage	171
	Note	172

3. Construction Financing	172
<i>Rockhill v. United States</i>	174
Note and Questions	182
<i>Kemp v. Thurmond</i>	183
Notes and Questions	184
<i>Haz-Mat Response, Inc. v. Certified Waste Services, Ltd.</i>	187
Notes on Mechanics' and Materialmen's Liens	193
G. Transfers of Encumbered Property	196
1. Mortgage Takeover: The Rights of the Grantor as Against the Grantee	197
2. Mortgage Takeover: The Rights of the Mortgagee as Against the Assuming Grantee	198
<i>Schneider v. Ferrigno</i>	198
Notes and Questions	200
<i>First Federal Savings & Loan Assn. of Gary v. Arena</i>	200
Notes and Questions	204
H. Remedies of Secured Creditors	205
1. Preforeclosure Rights	205
Lifton, Real Estate in Trouble: Lenders Remedies Need an Overhaul	205
a. Mortgage Taking Possession	207
<i>Myers-Macomber Engineers v. M.L.W. Construction Corp.</i>	207
Note	210
b. Acceleration by Mortgagor Default	210
<i>Webster Bank v. Oakley</i>	211
c. Transfer in Lieu of Foreclosure	214
<i>Harbel Oil Company v. Steele</i>	214
Notes on "Deed" in Lieu of Mortgage Foreclosure	217
d. Workouts	217
Black, Loan Workout Strategies	217
2. Foreclosure	224
a. Types of Foreclosure	225
Prather, Foreclosure of the Security Interest	225
Lifton, Real Estate in Trouble: Lender's Remedies Need an Overhaul	227
Notes and Questions	229
b. Selected Foreclosure Problems	231
(1) Foreclosure Sale Terms and Conditions: Price Adequacy and Chilled Bidding	231
<i>Manoog v. Miele</i>	231
Notes and Questions	234