



APPLIES TO ACADEMIC YEAR 2003/2004

EMS 2221 Real Estate Law I

Program

N/A

Responsible for the course

Tore Bråthen

Department

Accounting - Auditing and Law

Term

According to study plan

ECTS Credits

12

Objective

The objective of this course is to give students an understanding of the laws that affect practitioners of real estate brokerage.

The course covers contract law and aims to give the students an understanding of the regulations that govern the legal relations between seller and buyer in broker mediated real estate contracts. This includes the laws that apply to breach of contract and relevant regulations pertaining to monetary claims.

The students will become familiar with specific topics within general property law and acquire a knowledge of relevant regulations in the field of insurance.

Prerequisites

Foundation Programme in Business Administration or equivalent.

Compulsory literature

Bråthen, Tore, red. 2001. *Foretaksrett* . 5. utg. Oslo: Gyldendal Akademisk.

Bech, Stig og Trond Hasfjord. 1995. *Eiendomsmeglingsloven* . 2. utg. Oslo: Universitetsforlaget.

Bergsåker, Trygve. 1995. *Eiendomshandel gjennom megler: Avtaleinngåelse og avtalebrudd* . 2. utg. Oslo: Juridisk forlag.

Bergsåker, Trygve. 2003. *Kjøp av fast eiendom: Med kommentarer til avhendingsloven*. 4.utg. Oslo : Norges Eiendomsmeglerforbund.

Bergsåker, Trygve. 2000. *Kjøp av ny bolig: Med kommentarer til bustadoppføringoppslova*. Oslo: Norges Eiendomsmeglerforbund.

Wyller, Christian F. 2000. *Boligrett*. 4. rev.utg. Stavanger: Christian Fr. Wyller.

Gundersen, Fridtjof Frank; Faafeng Langfeldt, Sverre; Bråthen, Tore. *Lov og Rett for næringslivet*. Siste utg. Oslo: Focus Forlag og Universitetsforlaget.

Relevant laws (the Norwegian Code of Laws, offprints etc.) are central to the program. The students are expected to use the latest edition of the Norwegian Code of Laws and offprints that are announced in class).

Recommended literature

None

Course outline

1. Introduction to law

Bråthen, Tore, red. 2001. *Foretaksrett* . 5 . utg. Oslo: Gyldendal Akademisk. Ch I, pt.2 and Ch XI.

2. Real Estate Law, part I

- Laws relating to the profession of real estate brokerage, including the Act on Estate Agency, provisions on Estate Agency, marketing and ethical rules.

Bech, Stig og Trond Hasfjord. 1995. *Eiendomsmeglingsloven* . 2. utg. Oslo: Universitetsforlaget.

3. General property law

- Basic principles of contracting and the source of law in contract law.
- Legal problems in connection with contracting through real estate brokers, and the claims, transfer of claims and limitation of claims.

- The main regulations in insurance and indemnity.

Bråthen, Tore, red. 2001. *Foretaksrett*. 5. utg. Oslo: Gyldendal Akademisk. Kap. IV, V, XI og XII.

Bergsåker, Trygve. 1995. *Eiendomshandel gjennom megler: Avtaleinngåelse og avtalebrudd*. 2. utg. Oslo: Juridisk forlag.

Bergsåker, Trygve. 2003. *Kjøp av fast eiendom: Med kommentarer til avhendingsloven*. 4. utg. Oslo : Norges Eiendomsmeglerforbund. Følgende sider er ikke pensum: 28-48,54-58,62-68,127-132,141-147,317-321,332-338,356-360,365-367.

Bergsåker, Trygve. 2000. *Kjøp av ny bolig: Med kommentarer til bustadoppføringsoppslova*. Oslo: Norges Eiendomsmeglerforbund.

4. Real estate legislation

- Housing cooperatives.
- Rules on proprietor units and establishing procedures.
- Laws on property rental.

Wyller, Christian F. 2000. *Boligrett*. 4. rev. utg. Stavanger: Christian Fr. Wyller. Ch 1,2,3 and 6

5. State and public administration law

- Basic rules on the organization of central, county and local government.
- The provisions of the Public Administration Act concerning procedures in administrative affairs and the provisions of the Freedom of Information Act concerning access to information.

Computer-based tools

Computer-based tools are not used in this course.

Course structure

The course consists of 84 lecture hours. Students are expected to make a considerable individual effort - reading the syllabus, doing group work and assignments etc.

Evaluation

A five-hour written exam concludes the course.

Evaluation code(s)

EMS 22211 - written exam which accounts for 100% of the grade in EMS 2221, 12 studiepoeng.

Aids at the examination

The Norwegian Code of Laws, reprints and photocopies of laws, draft laws and regulations. Ethical rules for the Norwegian Association of Real Estate Agents.

Makeup exam

A re-sit is held in connection with the next scheduled course.