



# **Louisiana License Law RE 202**

## **Course Syllabus**

### **Instructor Background:**

#### **Roy L. Ponthier, Ph.D., Ed.D., CDEI, DREI**

Dr. Ponthier is a licensed Louisiana real estate broker, certified real estate and appraisal instructor, and Director of Executive Training Centers, LLC, an educational services company which offers in-class training in real estate, mortgage finance and appraisal, as well as online training through ProEducate, the company's web-based education division which offers real estate and mortgage finance related courses throughout the United States.

Dr. Ponthier holds a B.S. degree from Southeastern Louisiana College. His graduate training was taken at Tulane University (M.S. and Ph.D.) and the University of New Orleans (M.Ed. and Ed.D.). He holds the Certified Distance Education Instructor (CDEI) certification awarded by the International Distance Education Certification Center (IDECC), as well as the Distinguished Real Estate Instructor (DREI) designation awarded by the Real Estate Educators Association in recognition of exceptional effectiveness in the classroom. Dr. Ponthier has served on the faculty of three Universities, currently teaches classes for The Real Estate Law Society of Loyola University Law School and has chaired college divisions of Computer Science, as well as Education. Since 1988 he has taught real estate related subjects to more than 63,000 students. He is a member of five academic honor societies, as well as MENSA, and author of more than two dozen internationally published scientific papers. He was Director of The Center for Computer Education, Inc., which trained teachers in computer science, and was president of Worldwide Information Network, Inc., a provider of Internet and television marketing in real estate. He has owned two mortgage companies, as well as a business brokerage company and a residential and commercial real estate company.

Since early 2009, Dr. Ponthier has served on a work group for the Nationwide Mortgage Licensing System & Registry (NMLS&R) to help develop the functional specifications for mortgage pre-licensing and continuing education programs taught in the U.S. He is a member of the Real Estate Educator's Association, The South Central Educators Group, and the Louisiana Mortgage Bankers Association, for which he is Chair of the education committee. Dr. Ponthier's achievements have been documented in Who's Who (Oxford Edition), American Men and Women of Science, and the International Who's Who in Education.

Dr. Ponthier has contracted with Loyola University of New Orleans, College of Law, to be the exclusive provider of online Continuing Legal Education (CLE) for the University.

### **Course Description:**

This course covers Louisiana License Law, Louisiana Real Estate Rules and Regulations, and the Louisiana Civil Code as it pertains to real estate. This course may be used as a continuing education course when transferring your sales license from inactive to active status. With approval from the Louisiana Real Estate Commission, this course may also be used to satisfy the state portion of the sales pre-licensing curriculum.

### **Required Course Material:**

This course is entirely self-contained and does not require additional study materials.

#### **REQUIRED HARDWARE and SOFTWARE (Internet-Based Courses):**

All course materials are available online. To access, a student will need a connection to the Internet. Any Internet speed will be adequate for the text-based version; however, a high speed connection is recommended for the course presented in PowerPoint/Audio format, so the student may appreciate the visual aesthetics of the presentation. Any additional software, such as Adobe Reader (needed to access the .pdf files), is available in the course for immediate download.

## **Completion Expectations:**

### **Prerequisites:**

- There are no educational prerequisites for this course; however, students are expected to have high school level reading and mathematics ability.

### **Upon registering:**

- Students must complete the course lessons/modules and the final exam before the course expiration date.
  - Each lesson/module will have a quiz at the end that must be passed in order to continue to the next lesson/module.
    - The quiz will consist of multiple-choice format questions requiring a minimum passing score of 70%.
    - Quiz questions will be displayed one at a time.
    - Upon submission of the student's response (answer) to each presented quiz question, the system will display the correct/incorrect answer for the student's review.
  - The final exam questions are also presented in multiple-choice format requiring a passing score of 70% or higher.
  - The username and password will be deactivated after the course expiration date has passed.
- The course completion certificate will be issued to the student upon passing the final exam at end of the course.

## **School Policies:**

### **Registration:**

- The student is responsible for verification of qualifications for licensing, before registering for a course of study.
- Registrants with any form of criminal history, including misdemeanor or felony convictions, or who are currently on parole, must contact the relevant licensing agency before registering for any pre-licensing or pre-certification course.
- An e-mail account is essential to participate in the online program.
- Any attempt to take the course under an assumed identity, or to accept assistance from others in completing any portion of the course, may result in rejection of a license application, revocation of an existing license, fines, or other penalty provided by law governing the relevant state regulatory agency to whom the student submitted documentation.

### **Course Participation:**

- Students are asked to please be certain that their address book is updated to include acceptance of e-mails from StudentServices@ProEducate.com and Instructor@ProEducate.com
- Instructors may not, in any venue, answer questions of a personal, professional, business, or legal nature, and students should not interpret any information received from instructors, or course content, as being legal or professional advice.
- The instructional staff will respond to questions by e-mail as quickly as possible. In general, questions received by noon on any business day are responded to by 5 pm the following business day. Students who abuse the e-mail opportunity may be dropped from the course, solely at the discretion of the school, without penalty to the school beyond refund of tuition.

### **School Contact Information:**

- **By Phone:** For questions regarding **administrative** issues, the administrative offices may be contacted by phone at (504) 454-9866 or (800) 966-9866, weekdays between 8 a.m. and 5 p.m. central time.
- **By E-mail:** Ask technical or course content questions 24 hours a day by e-mailing the school office at the addresses listed below. A response will typically be received by close of business on the next business day.
  - **StudentServices@ProEducate.com for questions or comments about registration, administrative issues, purchases from the online store, or technical issues.**
  - **Instructor@ProEducate.com for questions regarding course content.**
- **In Person:** We are in the office to assist you with administrative questions Monday - Friday 8:00 a.m. to 5:00 p.m. central time. We are located at 4200 S. I-10 Service Rd. W., Suite 134, Metairie, Louisiana 70001 (Boy Scouts of America Building).

### **Additional Information Regarding the Online Course:**

- During the allotted class time, students will have access to the course 24 hours a day and may login and work on the course at their convenience.
- Students will be issued a completion certificate upon successful completion of the course.
- During the course, if the students have questions about the course content, they may click on the “e-mail instructor” button and send a question to the instructor.
  - E-mails received by 3 PM on any business day will be responded to on the next business day.
  - Students are asked to please be very specific about the location of the content they are questioning (lesson #, topic, etc.)
    - Instructors are permitted to respond only to questions specifically related to the course content.
    - Questions regarding personal situations, unrelated to the specific course material or of a legal nature, may not be responded to.
- The course also makes a detailed glossary available to the students. Students may click on the glossary to study the definition of terms with which they are not familiar.
- The “Resources” section of the course makes forms and documents available to assist students in their studies.
- Upon completion of the course material, each student will be required to respond to a course evaluation in addition to a multiple choice final examination.

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## LEARNING OBJECTIVES and LESSONS:

- Learning Objectives
  - Explain the licensing application process and the requirements for licensing
  - Identify the procedures for examination authorization, license renewal, transferring a license, and items which must be returned to the broker on termination of sponsorship.
  - State the basic rules governing advertising of real estate.
  - Explain the procedures for the return of escrow deposits; the presentation of offers and counteroffers; to be followed when a complaint is filed against a licensee; and when the agency information must be provided to potential clients.
  - Explain the relationship of a licensee with customers and clients.
- Louisiana License Law – Part I
  - The Structure and Powers of the LREC
  - Meetings
  - Regulatory Power
  - Authority
    - Case Study
  - Licensing Requirements
    - Sales and Broker Licenses
  - Applying for a License
    - Pre-Licensing and Scheduling Exam
  - Post Licensing and Continuing Education
  - Examination
  - Corporation and Partnership Licensing
  - Who Does Not Need a License?
  - Inactive Licenses and Renewals
  - Timeshare Registrations
  - Brief Review
  - Lesson Quiz
- Louisiana License Law – Part II
  - Termination of Relationships
  - Renewal of Licenses
  - Receipt and Payment of Compensation
  - Broker Responsibilities
  - Duty of Real Estate Licensees to Use Purchase Agreement Forms
  - Requirements to Notify LREC
  - Complaints to the LREC
    - Case Study
  - Causes for Censure, Suspension, and Revocation
  - LREC Hearings
    - Case Study

- The Recovery and Education Fund
- E&O Insurance
- Psychological Impacts
- Sex Offenders
- Mold Informational Pamphlet; Liability of Licensees
- Brief Review
- Lesson Quiz
- LREC Rules and Regulations – Part I
  - Lesson Objectives
    - Identify the primary requirements for submission of a license application, the use of trade names and trademarks.
    - Explain when and how to renew a license both timely and delinquent.
    - List the procedures for transfer and termination of broker sponsorship.
  - License Application Requirements
    - What to Include with the License Application
    - Applications for Corporations, Partnerships, and LLCs
  - Examination Procedure
  - Disqualification/Prohibited Activities
  - Failure and Partial Failure of Examination
  - Examination Requirement for Out-of-State Applicants
  - Renewal Applications
    - Delinquent Renewals
  - Transfer of Licensees
  - Transfers on Acquisition or Purchase of Licensed Agencies
  - Termination Responsibilities
  - Use of Trade Names and Trademarks
  - Concurrent Licensing
  - Brief Review
  - Lesson Quiz
- LREC Rules and Regulations – Part II
  - Lesson Objectives
    - Identify the three escrow/trust accounts and the rules governing their use.
    - Describe the procedures for the presentation of offers and counteroffers.
    - Explain when the agency information must be provided to potential clients.
  - Advertising
    - Agent/Owner – Licensed Agent
    - Internet Advertising
  - Escrow and Trust Accounts
    - Practices Regarding Escrow and Trust Accounts
    - Withdrawal of Funds and Closing Accounts
  - Escrow Disputes

- Investigations and Hearings
- Agency Relationships
- Mold Disclosures
- Presentation of Offers and Counteroffers
- Rejection of Offers and Counteroffers
- Franchise Operations
- Additional Regulations
- Brief Review
- Lesson Quiz
- Louisiana Civil Law – Part I
  - History of Civil Law in Louisiana
  - Classification of Property
  - Immovables
  - Movable
  - Legal Descriptions
  - Louisiana's Bundle of Rights
  - Servitudes
  - Building Restrictions
  - Homestead Exemption
  - Brief Review
  - Lesson Quiz
- Louisiana Civil Law – Part II
  - Sole and Co-Ownership
  - Co-Ownership; Ownership in Indivision
  - Partnership
  - Community Property
  - Transfer of Property Through Donation
  - Transfer of Property Through Succession
  - Forced Heirs
  - Transfer of Land by Natural Causes
    - Accretion;
    - Dereliction,
    - Sudden Action of Water
  - Transfer of Land by Public Power
    - Police Powers;
    - Escheat;
    - Taxation;
    - Eminent Domain
  - Brief Review
  - Lesson Quiz

- Louisiana Civil Law – Part III
  - Types of Contracts
  - Elements Necessary to Form a Contract
  - Offer and Acceptance
  - Acceptance/Revocation of Contracts
  - Conveyances
  - Brief Review
  - Lesson Quiz
- Louisiana Civil Law – Part IV
  - Privileges
  - Mortgages
  - Property Tax
  - Leases
  - Brief Review
  - Lesson Quiz
- Louisiana Laws of Agency
  - Important Definitions
  - Sub-Agency and Designated Agency
  - Duties of Licensees Representing Clients
  - Ministerial Acts
  - Lesson Quiz
- Course Evaluation
- Final Exams