



Module Specification

Property Law and Practice

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Part 1: Information

Module title: Property Law and Practice

Module code: UJXTR5-30-M

Level: Level 7

For implementation from: 2023-24

UWE credit rating: 30

ECTS credit rating: 15

Faculty: Faculty of Business & Law

Department: FBL Dept of Law

Partner institutions: None

Delivery locations: Not in use for Modules

Field: Law - non modular

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: Not applicable

Features: Not applicable

Educational aims: The LPC outcomes will be met by the students undertaking the type and range of tasks identified in the indicative teaching scheme set out below this statement.

The elements of law and practice to be covered on this core subject are primarily identified in the syllabus set out above as expanded upon in this statement and in the indicative teaching scheme set out below.

The course skills which will pervade this core subject as identified in the indicative teaching scheme set out below are; practical legal research, writing and drafting, interviewing and advising and an oral presentation in a non-contentious setting.

Ethical and professional conduct issues will pervade the teaching of this core subject. In particular students will consider conflicts of interest (e.g. acting for more than one party) and taking instructions on behalf of a company client (including corporate identity issues).

Outline syllabus: Introduction to the process of sale and purchase of freehold property in a commercial context. Capacity; seller's duty of disclosure; preparation of the contract; review of title and requisitions on title; preliminary searches and pre-contract enquiries; agreeing the contract; funding and taxation issues; pre-exchange report to client; exchange of contracts, risk and insurance; preparation for completion; agreeing the transfer; reporting to the mortgagee; completion of the sale and post completion matters (including Stamp Duty Land Tax issues, and land registration). Reporting to client as appropriate.

Introduction to leasehold property; the grant of a new lease; exclusion of security of tenure; assignment of an existing lease; the terms of the lease; tax issues, registration issues.

Introduction to sale of part, and to the acquisition of land for development.

Introduction to the sale of unregistered land.

Indicative Teaching Scheme:

Foundation Work:

A mix of electronic and other material and exercises to provide students with a foundation for the teaching units outlined below. These will comprise a review of the key aspects of land law and introductions to Land Registration law and procedure, property practice and procedure and to some of the steps in a property transaction. Transaction One- acting for buyer (company) of a freehold office block This transaction will occupy the first four Learning Units of the course.

Unit 1: Taking instructions, consideration of contract package

Unit 2: Pre-contract searches, pre-contract enquiries, approval of the contract and requisitions on title. Practise in the skill of Writing

Unit 3: Acting for the mortgagee, report to the client and exchange of contracts

Unit 4: Completion of the purchase and post completion matters to finish the deal.

Transaction Two - Acting for same client as in Transaction One on client's grant of lease of part of premises purchased in Transaction One

This transaction will occupy Learning Units 5 and 6 of the course.

Unit 5: Taking initial instructions, considering agreements for lease; appropriate form of lease and standard clauses of leases; advising client on terms of letting Self-Study Exercises: Writing (PLP)

Unit 6: grant of a lease (continued)

Unit 7: Assignment of a lease of retail premises

Transaction Three – Acting for an assignor on the sale of a lease of retail premises

This transaction will occupy Learning Units 7 and 8 of the course.

Unit 7: Assignment of a lease of retail premises

Unit 8: Assignment of a lease of retail premises (continued)

Transaction Four – Acting for buyer (sole trader) on the purchase of a unit on an industrial estate (which forms part of a larger registered title)

This transaction will occupy Learning Units 9 and 10 of the course.

Unit 9: Sale of part of land forming an industrial unit

Unit 10: Sale of part of land forming an industrial unit (continued)

Unit 11: Introduction to development of land Self-Study Exercises -PLP

Unit 12: Revision

Part 3: Teaching and learning methods

Teaching and learning methods: Self-study preparation and research in order to acquire knowledge and understanding;

Large group sessions in order to consolidate and develop knowledge and understanding;

A mixture of individual and group work centred on problem-based learning, involving management of information, analysis of complex facts and application of knowledge;

Role play and oral presentations to demonstrate understanding and effective communication of complex areas of law applied to detailed factual scenarios;

Preparation of written communications (primarily in the form of office memoranda and letters of advice to clients) to demonstrate understanding and effective

communication of complex areas of law applied to detailed factual scenarios;

Drafting and amending of legal documents, often involving the use of precedents, to demonstrate synthesis and application of knowledge, and the ability to reach autonomous, competent decisions;

Reviews of topics in the form of both large group sessions (where ideas can be pooled and debated) and critical self-evaluation.

The teaching and learning strategy pervading all modules on the Legal Practice Course is a student-centred approach through the provision of a stimulating educational environment.

Face to face teaching and learning in a workshop environment is at the heart of the Teaching and Learning strategy, for students to participate fully in challenging activities, undertaking a wide variety of exercises as individuals and in groups. Full participation is encouraged and expected. Students are encouraged to ask questions during the workshops and to take responsibility for their own learning. Feedback will be given on these exercises both by students and tutors.

Outside of the workshop students are required to take responsibility for their own learning undertaking a variety of preparatory tasks. These may be undertaken by students either as individuals or working in office groups, including include provision of information using recorded lectures, reading from course manuals and from practitioner texts, reading and research from primary source material, completion of electronic tests, preparing documents or presentations and attending large group sessions.

The final component of each Study Unit will be a consolidation task or tasks designed to broaden and deepen students' understanding of an aspect or aspects of work covered in the relevant Study Unit

Each Study Unit involves the student undertaking 11.5 Notional learning Hours, of

which (with the exception of the Foundation Work) 2.5 hours will be a Small Group Sessions

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 Understand the process of the sale and purchase of freehold property in both a commercial and residential context

MO2 Understand capacity and the seller's duty of disclosure

MO3 Prepare, critique, analyse and advise on a draft contract

MO4 Deduce and investigate title and raise requisitions on title

MO5 Apply for and analyse preliminary searches and raise pre-contract enquiries

MO6 Advise on funding and taxation issues

MO7 Prepare a pre-exchange report for a client

MO8 Exchange contracts by telephone and advise on risk and insurance

MO9 Take preparatory pre-completion steps including reporting to lender

MO10 Draft and critique a transfer

MO11 Take pre-completion and completion steps (including consideration of Stamp Duty Land Tax)

MO12 Understand the steps taken on the grant of a new commercial lease and the assignment of an existing commercial lease including tax and registration issues

MO13 Understand the steps taken to exclude business security of tenure

MO14 Understand the process of a sale of part of land and the acquisition of land for development

MO15 Understand the basic steps involved on an unregistered residential sale.

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 228 hours

Face-to-face learning = 72 hours

Total = 300

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujxtr5-30-m.html) via the following link <https://uwe.rl.talis.com/modules/ujxtr5-30-m.html>

Part 4: Assessment

Assessment strategy: Assessment is by way of Open Book examination (3 hours) comprising 25% MCQ/SAQ and 75% Long Form Questions with a pass mark of 50%

The remote invigilation is in accordance with SRA requirements.

The Assessment Strategy pervading all modules on the LPC is rigorous in its approach to ensure the credibility of the course to ensure that:

Assessment arrangements will be robust, consistent, fair and secure, to ensure that academic standards will meet the threshold set by the SRA

Assessments will revolve around transactions of the type encountered in practice

Assessments will address depth and realism as well as coverage

Individual assessments cover a representative and robust selection of the relevant outcomes. Where an assessment does not include coverage of all of the outcomes for a particular subject, students will nevertheless be prepared to be assessed on all outcomes and will not be informed of what (or will not) be assessed in any particular assessment.

Student achievement will be measured appropriately in accordance with the LPC outcomes.

All diligent students have an opportunity to achieve and demonstrate the LPC learning outcomes.

The needs of disabled students will be taken into account ensuring equal accessibility of assessments to all students.

Assessment components:

Examination (First Sit)

Description: Open Book examination.

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO10, MO11, MO12, MO13, MO14, MO15, MO2, MO3, MO4, MO5, MO6, MO7, MO8, MO9

Examination (Resit)

Description: Open Book examination.

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

Examination (Resit)

Description: Open Book examination.

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Advanced Legal Practice [Sep][PT][Frenchay][3yrs] LLM 2022-23

Advanced Legal Practice [Frenchay] LLM 2022-23