



ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Landlord and Tenant				
Module Code	UJXUSM-10-M	Level	M	Version	1.1
UWE Credit Rating	10	ECTS Credit Rating	5	WBL module?	No
Owning Faculty	Business and Law	Field	Law Non-Modular		
Department	Law: BILP	Module Type	Professional Practice		
Contributes towards	Bar Professional Training Course				
Pre-requisites	None	Co- requisites	None		
Excluded Combinations	None	Module Entry requirements	N/A		
First CAP Approval Date	QSC 28 April 2010	Valid from	September 2010		
Revision CAP Approval Date	1 June 2016	Revised with effect from	September 2016		

Part 2: Learning and Teaching	
Learning Outcomes	<p>On successful completion of this module students will be able to:</p> <ol style="list-style-type: none"> 1. understand the construction of a lease 2. be able to distinguish between a lease and licence 3. identify the obligations placed upon both a landlord and tenant relating to specific lease agreements 4. identify the statutory obligations and requirements placed upon a landlord and tenant relating to specific lease agreements 5. understand the advisory and advocacy role that a barrister may undertake in landlord and tenant litigation 6. employ the Civil Procedure Rules relating to possession proceedings 7. employ the skills of conferencing, negotiation and advocacy in a landlord and tenant litigation environment.
Syllabus Outline	<p>Syllabus outline:</p> <p>The curriculum is designed and organised according to the requirements and guidance provided by the Bar Standards Board as to the Course Content and Delivery of the Bar Professional Training Course (“BPTC”) and to ensure that the Outcome Specifications</p>

set by the Bar Council were met.

Students are provided with preparatory work to complete in advance of each session. By way of introduction to what, for a number of students, will be their first experience of working with Landlord and Tenant Law each student is asked to prepare an introductory lecture on the core knowledge and practice areas of Landlord and Tenant Law. This also introduces them to the core texts and research methods related to Landlord and Tenant. The sgs's are designed to further develop the skills obtained earlier in the BPTC but in a wholly Landlord and Tenant context. In particular, students are required to develop the 'outcome' area of the skill. For, example if following a negotiation between a landlord and tenant there is an agreement to give cross undertakings students are asked to draft those undertakings on the appropriate court form and present them to the court for approval. All the scenarios are based upon real situations and include injunction applications; possession proceedings; appeal against a refusal of the council to accept reasons for refusal to accept housing offered; conference on implications of entering a Landlord and Tenant Act 1954 Part II contract and advice on drafting and terms to be included in such an agreement.

The standard format is for the students to undertake the preparatory work as individuals. During the sgs The students are grouped into teams. Within that team they will agree the best approach to take to fulfil their brief. Tasks are then allocated to members of the group for example, negotiation, drafting, presentation to the court; judge. There is thus ample scope for keeping everyone involved through developing a whole scenario rather than repeating one element of a given task. The exercise having finished there is a plenary session in which matters arising during the exercise can be discussed.

1. Lease or licence
2. Creation of leases & Types of lease
3. Obligations in leases
4. Termination of leases.
5. The Statutory Codes

The Statutory Codes:

- Short residential leases – Housing Act 1988
- Long residential leases at a low rent – Landlord and Tenant Act 1954 Part I
- Commercial Agreements - Landlord and Tenant Act 1954 Part II
- Farm Business Tenancies- Agricultural Tenancies Act 1995
- Public Sector Housing – Housing Act 1985
- Agricultural Holdings – Agricultural Holdings Act 1986

Large Group Session

LGS 1 – Overview - Introduction and understanding of the core texts and statutes

Small Group Sessions

SGS 1 – Preparation and conduct of a conference and negotiation in Landlord & Tenant matter together with drafting undertakings

SGS 2 - Individual conference undertaken with student

SGS 3 – Homelessness Appeal

SGS 4 & 5: Practice assessment (conference brief) - Students undertake a practice assessment which is run in the same way as the final assessment .

SGS 6 – Feedback and review / Business tenancies exercise.

Contact Hours	<p>Student Contact Time LGS 1 – 1.5 hours</p> <p>SGS 1 – 3.5 hours SGS 2 – 3.5 hours SGS 3 – 3.5 hours SGS 4/5– 1.5 hours SGS 6 – 3.5 hours</p> <p>Final Assessment 30 minutes</p> <p>Staff Contact Time (per 12 students) LGS 1 – 1.5 hours SGS1 – 3.5 hours SGS 2 – 3.5 hours SGS 3 – 3.5 hours SGS 4/5 – 7 hours SGS 6 – 3.5 hours</p> <p>Final Assessments 6 hours per group of 12</p>
Teaching and Learning Methods	<p>The Landlord & Tenant Option is taught over six face to face sessions and one LGS The students learn the law skills through their application of knowledge gained from:-</p> <ul style="list-style-type: none"> • directed self study on the statutes, rules and procedure, • practical exercises in the small group sessions and tutor led in class feedback with an element of peer review. The practical exercises include fact conferencing, negotiation, drafting & advocacy. • tutor led written and oral feedback (incorporated in SGSs), • self and peer review (incorporated into SGSs), • the practice assessment. <p>Students are also expected to engage in independent learning including hours engaged with essential reading, case study preparation, assignment preparation and completion.</p> <p>Students will consolidate their learning by reflecting upon their work and tutor and colleague feedback.</p>
Reading Strategy	<p>Students are provided with hard copy and web based resources. There is an option specific Blackboard Landlord & Tenant option folder which sets out the preparation work and materials referred to for preparation and during the small group session.</p>
Indicative Reading List	<p>Garner, G., and Frith, A. <i>A Practical Approach to Landlord and Tenant</i>. 7th Edition. Oxford University Press.</p>

Part 3: Assessment

<p>Assessment Strategy</p>	<p>In preparation for the assessment the students are provided with assessment criteria which is included in their introductory information. Students are introduced to the structure and intended outcomes of a conference in a Landlord & Tenant case in SGS 2. In SGS 4/5 they undertake a practice assessment in replication of the final assessment, though with individual feedback immediately following their performance.</p> <p>There is one component which must be passed/complied with:</p> <ol style="list-style-type: none"> 1. The assessment will consist of a conference exercise requiring the preparation of a skeleton conference plan for a Landlord & Tenant case. Students have 25 minutes to advise their client, in conference. 2. The students must prepare and submit a written component, the conference plan. 3. There will also be some client intervention. 4. The assessment case study is sent to students one week before the assessment (2 weeks for the part time by open learning). 5. Students must ensure there are no fatal flaw errors in understanding. These will be determined by the team tutors at the time of the assessment but will involve some fundamental misunderstanding about how to advise on a case in their clients best interests.
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% weighting between components A and B	A:	B:
	100%	
First Sit		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Relationship with Client	20%	
2. Fact Finding	30%	
3. Advice	50%	
Component B Description of each element	Element weighting (as % of component)	
n/a		

Resit (further attendance at taught classes is not required)		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Relationship with Client	20%	
2. Fact Finding	30%	
3. Advice	50%	
Component B Description of each element	Element weighting (as % of component)	
n/a		

If a student is permitted a retake of the module under the University Regulations and Procedures, the

assessment will be that indicated by the Module Description at the time that retake commences.