



Module Specification

Landlord and Tenant (BPTC)

Version: 2023-24, v2.0, 21 Jun 2023

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Part 1: Information

Module title: Landlord and Tenant (BPTC)

Module code: UJXUSM-10-M

Level: Level 7

For implementation from: 2023-24

UWE credit rating: 10

ECTS credit rating: 5

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 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 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 SGSs 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.

Outline syllabus: Lease or licence

Creation of leases and Types of lease

Obligations in leases

Termination of leases

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 and Tenant matter together with drafting undertakings.

SGS 2 - Individual conference undertaken with student.

SGS 3 – Homelessness Appeal.

SGS 4 and 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.

Part 3: Teaching and learning methods

Teaching and learning methods: Student Contact Time

LGS 1 – 1.5 hours

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

Final Assessment 30 minutes

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

Final Assessments 6 hours per group of 12

The Landlord and Tenant Option is taught over six face to face sessions and one

LGS.

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.

The students learn the law skills through their application of knowledge gained from:
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 and advocacy.

Tutor led written and oral feedback (incorporated in SGSs).

Self and peer review (incorporated into SGSs).

The practice assessment.

Students are also expected to engage in independent learning including hours engaged with essential reading, case study preparation, assignment preparation and completion.

Students will consolidate their learning by reflecting upon their work and tutor and colleague feedback.

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

MO1 Understand the construction of a lease

MO2 Be able to distinguish between a lease and licence

MO3 Identify the obligations placed upon both a landlord and tenant relating to specific lease agreements

MO4 Identify the statutory obligations and requirements placed upon a landlord and tenant relating to specific lease agreements

MO5 Understand the advisory and advocacy role that a barrister may undertake in landlord and tenant litigation

MO6 Employ the Civil Procedure Rules relating to possession proceedings

MO7 Employ the skills of conferencing, negotiation and advocacy in a landlord and tenant litigation environment.

Hours to be allocated: 100

Contact hours:

Independent study/self-guided study = 82.5 hours

Face-to-face learning = 17.5 hours

Total = 100

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujxusm-10-m.html) via the following link <https://uwe.rl.talis.com/modules/ujxusm-10-m.html>

Part 4: Assessment

Assessment strategy: 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 and 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.

There is one assessment task which must be passed/complied with:

The assessment will consist of a conference exercise requiring the preparation of a skeleton conference plan for a Landlord and Tenant case. Students have 25 minutes

to advise their client, in conference.

The students must prepare and submit a written task, the conference plan.

There will also be some client intervention.

The assessment case study is sent to students one week before the assessment (2 weeks for the part time by open learning).

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 client's best interests.

Assessment components:

Set Exercise (First Sit)

Description: Advice

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Set Exercise (First Sit)

Description: Fact Finding

Weighting: 30 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Set Exercise (First Sit)

Description: Relationship with Client

Weighting: 20 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Set Exercise (Resit)

Description: Advice

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO3, MO4, MO5, MO6, MO7

Set Exercise (Resit)

Description: Fact Finding

Weighting: 30 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Set Exercise (Resit)

Description: Relationship with Client

Weighting: 20 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Part 5: Contributes towards

This module contributes towards the following programmes of study: