

Land Law

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|--|------------------------------|-----------------|------------------|--------------------------|------------------|-------------------------|-----------------------------|
| Stage | | | | 1 | | | |
| Semester | | | | 3 | | | |
| Module Title | | | | Land Law | | | |
| Module Number | | | | 9 | | | |
| Module Status | | | | Mandatory | | | |
| Module ECTS Credits | | | | 5 | | | |
| Module NFQ level | | | | Level 7 | | | |
| Pre-Requisite Module Titles | | | | n/a | | | |
| Co-Requisite Module Titles | | | | n/a | | | |
| Capstone Module? | | | | No | | | |
| List of Module Teaching Personnel | | | | Edward Mathews | | | |
| Contact Hours | | | | Non-contact Hours | | | Total Effort (hours) |
| 21 | | | | 79 | | | 100 |
| Lecture | Practical | Tutorial | Seminar | Assignment | Placement | Independent Work | |
| 15 | | 6 | | | | 79 | 100 |
| Allocation of Marks (Within the Module) | | | | | | | |
| | Continuous Assessment | Project | Practical | Final Examination | Total | | |
| Percentage Contribution | | 40 | | 60 | 100 | | |

Intended Module Learning Outcomes

Upon successful completion of this module, learners should be able to:

1. Explain the historical background to land law.
2. Describe the estates in land law, including the ability to distinguish particular estates.
3. Discuss the rules of land law, including engaging in analysis of these rules and proposals for reform, where applicable.
4. Assess judicial and legislative rules on land law.
5. Analyse factual scenarios and be able to identify the estate, type of ownership, and particular rule of land law in question.

Module Objectives

This module aims to:

- Provide a historical perspective on the evolution of land law.
- Ensure a detailed knowledge of the rules of land law.
- Enable learners to trace current entitlements from those succeeded to contractually.
- Foster an understanding of legal and equitable interests in property.
- Cultivate the ability to view land law issues in commercial terms and engender understanding of the practical operation of land law.
- Impart outline knowledge of landlord and tenant law.

Module Curriculum

| TOPIC | DISCUSSION |
|---|---|
| Introduction | The nature of ownership; historical development of Land Law; possession; statutory reforms; tenure. |
| Estates | Freehold estates; leasehold estates; hybrid estates. |
| Co-Ownership | Joint Tenancy; Tenancy in Common; Creation; Severance. |
| Family Property | Equity Acquired by contribution to the family home; The Family Home Protection Act; Judicial Separation; The Family Law Act 1995, Divorce; Family Law (Divorce) Act 1996. |
| Registered and Unregistered Land | Registration of Title Act 1964; Compulsory Registration; Classes of owners and Classes of title; Transferring registered land. |
| Adverse Possession | The Limitation Period; Freehold Land; Leasehold Land. |
| Licences | Features of a licence; Creation; Categories; Estoppel and Revocation. |

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| Introduction to Landlord and Tenant (including mediation) | Characteristics of a Lease; Express of Implied Contract; The Reversion; Lease or a Licence? Formalities for creation of a Lease; Assignment and subletting; Covenants; Termination of the Relationship; Rights and Proposals for reform. Residential Tenancies Act 2004 - role of the Residential Tenancies Board re: appointment by agreement of both sides of a mediator to resolve disputes between landlord and tenant |
| Succession | Probate and Wills; Testate succession – including restriction of testamentary freedom; intestate succession; personal representatives; practice & procedure of the administration of estates. |

Reading lists and other learning materials

1. Griffith College Manual, *Land Law* (Dublin:Clarus Press, updated annually)
2. De Londras, *Principles of Irish Property Law*, (2011, Dublin; Clarus Press)
3. Delaney, *Equity and the Law of Trusts in Ireland*, (2011, Dublin; Thompson Round Hall)
4. Keating, *Succession Law in Ireland*, (2015, Dublin; Clarus Press)
5. Lyall, *Land Law in Ireland*, (2010, Dublin; Round Hall)
6. Wylie, *Irish Land Law*, (2010, Dublin; Butterworths)
7. Wylie, *Landlord and Tenant Law*, (2014, Dublin; Butterworths)

Module Learning Environment

Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle¹ and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

Library

¹ Moodle is Griffith College's current Virtual Learning Environment (VLE)

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the College’s Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College’s other computer labs, open labs and the e-learning studio. The College’s IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

Module Teaching and Learning Strategy

This module will be delivered through a series of lectures and tutorials. Lectures and tutorials will be supplemented by structured web-based resources and reading.

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class. Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

Module Assessment Strategy

Theoretical knowledge will be assessed at the end of the module by examination (60%), the purpose of which is to enable learners to become accustomed to undertaking extended examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner’s ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 40% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical

capacity. The Assignment focuses on a matter of practical importance in the field of the Irish Land Law.

Sample Assessment with Rubrics

See Sample Assessments attached.

