



**BUSINESS SCHOOL**

**Course Outline 2017**  
**PROPERTY 271: PROPERTY LAW (15 POINTS)**  
**Semester 2 (1175)**

---

**Course Prescription**

Fundamental legal principles and issues affecting the property professional will be considered including contract law, common form contracts found in the property industry, land ownership and professional liability.

**Programme and Course Advice**

Prerequisite: PROPERTY 102, COMLAW 101.

**Goals of the Course**

To provide an understanding of Property Law legal principles and current legal issues that will apply to the multi-disciplines that are served by the Property Professional who has completed the Bachelor of Property or Bachelor of Property Conjoint Degree. The aim of this paper is to:

1. understand the fundamentals of the relevant Statutes, Common Law and Issues that affect residential, commercial and industrial Real Estate and Property Professionals;
2. apply fundamental Property Law legal principles to realistic fact scenarios found in the Property Industry by Property Professionals; and
3. consider and discuss current Property Law issues.

**Learning Outcomes**

By the end of the course it is expected that the student will be able to:

1. understand the principles and importance of contract law in the property industry;
2. understand standard contractual documents in use in real-world property transactions;
3. interpret and develop knowledge of relevant statute law and case law impacting on the property professional;
4. have a deeper understanding, knowledge and appreciation of the relevant areas of real-world property law, related disciplines of lease, sales and purchase of property and current legal issues encountered by the Property Professional; and
5. understand the principles of professional liability.

**Content Outline**

Week 1	Introduction, Contract formation, Contracts in a property context
Week 2	The ADLS Sale and Purchase Agreement
Week 3	Enforcing contracts
Week 4	Land ownership
Week 5	Test, assignment handout
Week 6, 7	Misleading conduct and pre-contractual representations
Week 8	Agency relationships
Week 9	Occupational Arrangements
Week 10	Leasing Issues
Week 11	Trusts, The legislative environment
Week 12	The legislative environment, Revision

## Learning and Teaching

The class size will be approximately 100 students. The class will meet formally for three hours each week, being made up of a one hour and a two hour lecture (Tuesday 8-10am, Wednesdays 8-9am).

In addition to attending classes, students should be prepared to spend about another eight to ten hours per week on activities relating to the course. These activities will include carrying out the required readings; preparing for lectures; and preparing for the test, group assignment and the final examination.

## Teaching Staff

**Dr Mark McConnell** BSc, LLB, MEd, MDiv, PhD  
Professional Teaching Fellow  
Department of Commercial Law  
Email: mark.mcconnell@auckland.ac.uk  
Office: 260.586

## Learning Resources

The Property Law 271 course book is required reading and contains the course outline, legal readings and additional materials such as cases or standard form contracts. You are expected to complete the pre-lecture readings before attending class. All of the materials in the course book can be found in the PROP 271 course page on Canvas if you prefer to access them electronically.

Copies of lecture slides are not available in the course book, but will be uploaded to the PROP 271 course page on Canvas a few days before each lecture. Also within the PROP 271 course page on Canvas you will find quizzes and revision questions which are designed to test your understanding of the materials we cover. These are not compulsory and do **not** count towards your assessment.

Within the PROP 271 course page on Canvas you will also find links to additional readings which you can use to further your understanding of the topics covered in class. These readings are sourced from a variety of databases and textbooks all of which are available through the University library system. Some of the key textbooks that are referred to throughout this course and which provide excellent readings are listed below. These textbooks are **not** recommended for purchase as the textbooks do not cover the full content of this course.

1. Burrows, J., Finn, J., and Todd, S. (2016). *The Law of Contract in New Zealand* (Fifth Edition). Wellington: LexisNexis New Zealand Limited.
2. Drake, N., Lay, J., Varnham, S., Thomas, C. (2011). *Conveyancing Law Handbook* (Fourth Edition). Auckland: CCH New Zealand Limited.
3. Hinde, G.W. (2015). *Hinde on Commercial Leases* (Third Edition). Wellington: LexisNexis New Zealand Limited.
4. McMorland, D.W. (2011). *Sale of Land* (Third Edition). Auckland: Cathcart Trust.

Copies of previous exam papers for this course are available on the University library website.

## Assessment

Test (1.5 hours covering weeks 1-4)	15%
Assignment 1 (ADLS SPA)	5%
Assignment 2 (Disclosure)	15%
Assignment 3 (Lease)	5%
Final Exam (2 hours, covering the entire course)	60%
Total	100%

Further details on these assessments will be provided in the course book and at our first lecture.

The broad relationship between these assessments and the course learning outcomes is as follows:

Learning Outcome	Test	Assignment 1	Assignment 2	Assignment 3	Final Exam
1	X	X			X
2	X	X		X	X
3	X		X		X
4	X			X	X
5			X		X

### NOTE:

The details set out in this handout are subject to change. Any changes will be notified to students in lectures.

## Inclusive Learning

Students are urged to discuss privately any impairment-related requirements face-to-face and/or in written form with the course coordinator/lecturer.

## Student Feedback

During the Semester, students may be asked to complete evaluations. This is highly valued and helps to shape each course from year to year.

Please do not hesitate to ask questions in class. I actively seek and welcome the same. I can help you understand the lecture material more effectively if you provide me with feedback at the time by asking questions if you do not understand what I have just said or what you have just seen.

If you feel that you cannot raise an issue with me personally, then one of the roles of your class representatives is to provide me with feedback on your behalf.

## In the Event of an Unexpected Disruption

We undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. In the event of a disruption, the University and your course coordinators will make every effort to provide you with up to date information via canvas and the university web site.