



## UNSW Course Outline

# LAWS3413 Housing Law - 2024

Published on the 30 Aug 2024

## General Course Information

**Course Code :** LAWS3413

**Year :** 2024

**Term :** Term 3

**Teaching Period :** T3

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Private and Commercial Law

**Delivery Mode :** In Person

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Undergraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This course examines the adaptation of the principles of property law in the context of housing, focusing primarily on residential tenancies. The course will be relevant to those advising any resident, owner or operator in statutory housing regimes. The course examines the legislation and case law governing relationships within housing types, including residential tenancies,

residential communities, boarding houses, strata title, retirement villages, and aged care facilities. The course will examine broader policy questions concerning the built environment, homelessness, housing affordability and rights to housing. There will be an in-depth examination of practice and procedure, including alternative dispute resolution, within housing tribunals. Students will be required to attend the Tribunal, and write a brief report about the matters they have witnessed. Students will write an essay on a subject of their choice related to housing law reform. The final examination takes the form of a report on possible advice to clients. Class discussion and assessment tasks are supplemented by online activities. This course will appeal to students who enjoy practical problem solving and creative thinking.

## Main Topics

- Tribunal process and procedure
- Conflict resolution strategies in housing disputes
- Rights and responsibilities under residential tenancy law in NSW
- Social housing, affordable housing and Aboriginal housing
- Residential Communities in NSW
- Boarders and Lodgers in NSW
- Strata Title in NSW
- Retirement Villages in NSW
- Aged Care Facilities
- Homelessness, Housing policy, Rights to Housing

## Course Aims

- To understand the legislative framework of residential tenancies
- To examine how this legal regime fits into traditional property law
- To solve practical problems and housing disputes
- To look at the public law governing housing provision and housing affordability
- To map the framework of social housing provision
- To analyse contemporary housing policy, and reform of the law

## Relationship to Other Courses

### Exclusion Courses

JURD7413 Housing Law

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : To have a comprehensive understanding of the legislative framework of housing law (PLOs 1, 5, 6 & 9)
CLO2 : To be able to advise clients about problems faced in the resolution of tenancy disputes (PLOs 1, 5, 6, 9, 11 & 12)
CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)

Course Learning Outcomes	Assessment Item
CLO1 : To have a comprehensive understanding of the legislative framework of housing law (PLOs 1, 5, 6 & 9)	<ul style="list-style-type: none"><li>• Tribunal Report</li><li>• Research Paper</li><li>• Take-Home Exam</li></ul>
CLO2 : To be able to advise clients about problems faced in the resolution of tenancy disputes (PLOs 1, 5, 6, 9, 11 & 12)	<ul style="list-style-type: none"><li>• Tribunal Report</li><li>• Take-Home Exam</li></ul>
CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)	<ul style="list-style-type: none"><li>• Class Participation</li><li>• Research Paper</li><li>• Tribunal Report</li><li>• Take-Home Exam</li></ul>

## Learning and Teaching Technologies

Moodle - Learning Management System | Blackboard Collaborate

## Learning and Teaching in this course

This course will appeal to students who enjoy practical problem solving and creative thinking.

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: Not Applicable
Tribunal Report Assessment Format: Individual	10%	Start Date: Not Applicable Due Date: Week 4: 30 September - 06 October
Research Paper Assessment Format: Individual	30%	Start Date: Not Applicable Due Date: Week 5: 07 October - 13 October
Take-Home Exam Assessment Format: Individual	40%	Start Date: Exam period Due Date: Exam period

# Assessment Details

## Class Participation

### Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and online activities.

### Course Learning Outcomes

- CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)

### Detailed Assessment Description

Class Participation is assessed in this course through activities in class and online. The assessment includes a Group Presentation on one of the non-tenancy housing regimes we cover in the course. This provides you with an opportunity to learn about residential tenancies as a whole class, and then learn one of the other housing regimes in-depth, and benefit from the learning of other groups, before being assessed on all the housing types in the final take-home exam.

### Assessment information

Further information is available in Moodle

### Assignment submission Turnitin type

Not Applicable

### Generative AI Permission Level

#### Assistance with Attribution

This assessment requires you to write/create a first iteration of your submission yourself. You are then permitted to use generative AI tools, software or services to improve your submission in the ways set out below.

Any output of generative AI tools, software or services that is used within your assessment must be attributed with full referencing.

If outputs of generative AI tools, software or services form part of your submission and are not appropriately attributed, your Convenor will determine whether the omission is significant. If so, you may be asked to explain your submission. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see [here](#).

Students must comply with university, faculty and school requirements for the use and attribution of AI.

## Tribunal Report

### Assessment Overview

This assessment requires you to prepare a report.

### Course Learning Outcomes

- CLO1 : To have a comprehensive understanding of the legislative framework of housing law (PLOs 1, 5, 6 & 9)
- CLO2 : To be able to advise clients about problems faced in the resolution of tenancy disputes (PLOs 1, 5, 6, 9, 11 & 12)
- CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)

### Detailed Assessment Description

Students are required to visit NCAT and prepare a Tribunal Report.

Further information is available in Moodle.

### Assessment Length

500 words

### Assessment information

Further information is available in Moodle.

### Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

### Generative AI Permission Level

#### Assistance with Attribution

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## Research Paper

### Assessment Overview

This assessment requires you to write a research paper and deliver a presentation in class.

### Course Learning Outcomes

- CLO1 : To have a comprehensive understanding of the legislative framework of housing law (PLOs 1, 5, 6 & 9)
- CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)

### Detailed Assessment Description

There are three components to the Research Paper assessment:

1. Essay Outline
2. Essay
3. 3 Minute Thesis

### Assessment Length

1,000 words

### Assessment information

Further information is available in Moodle.

### Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

### Generative AI Permission Level

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## Take-Home Exam

### Assessment Overview

This assessment requires you to complete a take-home written examination within the University examination period.

### Course Learning Outcomes

- CLO1 : To have a comprehensive understanding of the legislative framework of housing law (PLOs 1, 5, 6 & 9)
- CLO2 : To be able to advise clients about problems faced in the resolution of tenancy disputes (PLOs 1, 5, 6, 9, 11 & 12)
- CLO3 : To critically examine the policy framework of housing law (PLOs 1, 5, 6 & 9)

### Detailed Assessment Description

Two problem questions. Each question is of equal value.

Further information is available in Moodle.

### Assessment Length

2,000 words

### Submission notes

### Assessment information

Further information is available in Moodle.

### Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

### Generative AI Permission Level

### Assistance with Attribution

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For more information on Generative AI and permitted use please see [here](#).

Students must comply with university, faculty and school requirements for the use and attribution of AI.

## General Assessment Information

Students will be required to attend the Tribunal, and write a brief report about the matters they have witnessed.

Students will write an essay on a subject of their choice related to housing law reform.

The final examination takes the form of a report on possible advice to clients.

Class participation requirements include discussion and assessment tasks supplemented by online activities.

The specifics of assessment change each term the course is offered.

See Moodle for details of the assessments.

For further information on generative AI use in the Faculty of Law & Justice, please review the section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

### Grading Basis

Standard

# Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 9 September - 15 September	Module	NSW Civil and Administrative Tribunal (NCAT)
	Module	Legislative Framework
	Module	Starting the Tenancy
Week 2 : 16 September - 22 September	Module	During the Tenancy
	Module	Housing Law Futures
Week 3 : 23 September - 29 September	Module	Ending the Tenancy
	Module	Advocacy
Week 4 : 30 September - 6 October	Module	After the Tenancy
	Module	Legal Aid
Week 5 : 7 October - 13 October	Group Activity	Group Presentation Planning Meetings
Week 6 : 14 October - 20 October	Other	Flexibility week - no classes
Week 7 : 21 October - 27 October	Presentation	Three Minute Theses presentations
Week 8 : 28 October - 3 November	Module	Residential (Land Lease) Communities
	Module	Boarders and Lodgers
	Module	Homelessness
Week 9 : 4 November - 10 November	Module	Strata Living
	Module	Retirement Villages
	Module	Aged Care
Week 10 : 11 November - 17 November	Module	Rights to Housing
	Module	Reflections on Learning and Teaching
	Module	Creative Housing Law Reform

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## General Schedule Information

See Moodle for Course Schedule

### Main Topics

- Tribunal process and procedure
- Conflict resolution strategies in housing disputes
- Rights and responsibilities under residential tenancy law in NSW
- Social housing, affordable housing and Aboriginal housing

- Residential Communities in NSW
- Boarders and Lodgers in NSW
- Strata Title in NSW
- Retirement Villages in NSW
- Aged Care Facilities
- Homelessness, Housing policy, Rights to Housing

# Course Resources

## Prescribed Resources

Anforth, Alan, Peter Christensen and Christopher Adkins, *Residential Tenancies Law and Practice*, New South Wales (Federation Press, 8th ed, 2022)

<https://federationpress.com.au/product/residential-tenancies-law-and-practice/>

## Recommended Resources

See Moodle for Recommended Resources

## Additional Costs

There are no additional costs.

## Course Evaluation and Development

We continuously seek feedback during the course about how it is working from the students' perspective.

Students in Housing Law told us that they would like the assessment scheme streamlined and reduced.

We have progressively reduced the requirements and word length for the assessments.

We look forward to your feedback on the new assessment design!

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	William (Joseph) Nicholls		Room 246 Level 2 Faculty of Law and Justice			Yes	Yes
Lecturer	Charlotte Steer					Yes	No

# Other Useful Information

## Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the wrongful use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

## Prohibition on use of translation apps

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Marks for class participation may be reduced where use of translation devices is detected. Similar prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that

level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

### Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

### Faculty-specific Information

#### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

## Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.