Landlord and Tenant Law Syllabus

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Office Hours

Available before or after class period and also available by appointment. Regular hours to be set soon.

Course Time:

Thursdays 1:00-2:50, Room 6

Course Website

We will use the Landlord and Tenant Law Course Website http://landlordtenantlaw.homestead.com.

Statement of Goals and Objectives

Landlord and tenant law affects almost all attorneys at one time or another, either personally as residential or commercial landlords or tenants, or in advising or representing clients. Many attorneys are called upon to provide advice or representation to landlords or tenants with little notice or preparation.

Landlord and tenant law applies to the largest commercial malls with complex written leases and the smallest studio apartments with no written leases, as well as expensive condos and inexpensive public housing apartments and mobile homes. Landlord and tenant law is a complex mixture of property, contracts, torts, constitutional, administrative, consumer, poverty, disability, regulatory, and legislative law.

There is no national general landlord and tenant law as it is a creature of state law. While there are some topics of landlord and tenant law which are regulated nationally, like the law of public and subsidized housing and housing discrimination, even those areas are regulated locally as well on the state and even municipal level. We will cover national trends in state landlord and tenant law, with a focus on Minnesota law.

The learning outcomes for the student are

- 1. To learn landlord and tenant law, including:
 - a. National trends
 - b. Minnesota law
 - c. The law of the state chosen by the student
 - d. The law of the states chosen by other students

- 2. To conduct research outside of Minnesota
- 3. To interview a client through simulation, including:
 - a. Getting to know the client
 - b. Obtaining facts
 - c. Knowing when and when not to give advice
- 4. To draft advice and advocacy documents, including:
 - a. An advice letter
 - b. A lease
 - c. Pleadings
- 5. To argue a motion through simulation, including
 - a. Preparing for argument
 - b. Presenting the argument

Policy on Disabilities

A student with a disability which affects participation in the course may obtain information on reasonable accommodations from the contact the Disability Services Office, http://law.hamline.edu/Content.aspx?id=2147483947&terms=disabilities.

Late Registrations

If you are not on the class list, you must see the Registrar for admission to the class.

Reading

There are no textbooks required for the course. Reading materials are available on line with links on the class schedule, posted at http://landlordtenantlaw.homestead.com.

Handouts

Handouts will be provided in some of the classes, and might be posted on the website. If you are not going to be in class, please arrange with another student to get handouts for you.

Cell Phones and Pagers

Please put cell phone and pagers on vibration or silent mode and do not answer them during class. If you need to make other arrangements, talk with the professors.

Attendance and Participation

The course is small to facilitate learning from discussion. Regular attendance is critical. Attendance will be taken in each class by passing around the attendance sheet. Two absences will be considered excessive. Class participation will be taken into account in grading.

Laptop Policy

Laptops may be used in class to take notes and to look up statutes or class materials. Use of laptops for anything other than class work is not permitted. This is an interactive class requiring your complete attention and participation.

Testing and Grading

For the graded assignments, students will select a state other than Minnesota to research for the semester. No more than one student can research any one state. Students will complete each assignment based on the statutory and case law of the state chosen by the student.

Students will be graded on the following work:

- 1. Security deposit withholding advice letter, 15%
- 2. Lease drafting, 15%
- 3. Eviction complaint drafting, 20%
- 4. Eviction answer drafting, 20%
- 5. Eviction hearing argument based on the drafted eviction answer, 20%
- 6. Class attendance and participation, 10%

Consider keeping a portfolio of these assignments, as they might be useful for interviewing.

First Class Reading Assignment and Preparation

- 1. Syllabus
- 2. Tenants' Rights in Minnesota (Minnesota Legal Services Coalition) http://www.lawhelpmn.org/documents/clusters/MN/285/English/tenantsrights.shtml
- 3. Come with general questions about landlord and tenant law
- 4. Think about which state you would like to research for the graded assignments.

Class reading assignments and preparation materials will be posted on the class schedule, posted at http://landlordtenantlaw.homestead.com.