**Massachusetts School of Law at Andover**

|  |
| --- |
| **Landlord-Tenant Law** |
| **Fall 2020** |
| ***Professor Peter M. Malaguti*** |
| email: malaguti@mslaw.edu |
|  |
| **Syllabus** |
| **There is no casebook for this course. We will follow the CD/course packet prepared by the professor, which is available on the TWEN site.** |
|  |
|  |  |   |
| **Class** | **Topic** | **Pages** |
|   | **Part One: Fundamental Concepts of**  **Landlord-Tenant Law** |  |
| **Tuesday, Aug 25** | **Introduction and discussion of course goals and expectations. No reading assignment.** | **No Assignment** |
| **Thursday, Aug 27** | **Historical Background** | **1-22** |
| **Tuesday, Sept. 1** | **Types of Tenancies** | **22-92** |
| **Thursday, Sept. 3** | **Real Estate Interests & The Statute of Frauds; Landlord-Tenant Relationship Distinguished from other Interests** | **93-110** |
| **Tuesday, Sept. 8** | **Assignments and Subleases, Modern Tenancies** | **110-120** |
|  | **Part Two: The Tenant’s Obligations**  **to the Landlord** |  |
| **Thursday, Sept. 10** | **Termination of the Landlord-Tenant Relationship** | **120-175** |
| **Tuesday, Sept. 15** | **Special Situations: Waste, Self-Help, Use of Premises for Unlawful Purposes, Re-establishment of Tenancy, Stay of Proceedings, Commercial Frustration** | **175-218** |
| **Thursday, Sept. 17** | **Jurisdiction and Venue** | **218-219** |
| **Tuesday, Sept. 22** | **The Eviction Process** | **219-227** |
|  | **Part Three:The Landlord’s Obligations to the Tenant** |  |
| **Thursday, Sept. 24** | **Landlord’s Duty to Deliver Possession of the Premises** | **227-252** |
| **Tuesday, Sept. 29** | **The Covenant of Quiet Enjoyment**  | **252-281** |
| **Thursday, Oct. 1** | **More Covenant of Quiet Enjoyment** | **281-326** |
| **Tuesday, Oct. 6** | **Security Deposits** | **326-342** |
| **Thursday, Oct. 8** | **More Security Deposits** | **342-358** |
| **Tuesday, Oct. 13** | **Even More Security Deposits** | **342-358** |
| **Thursday, Oct. 15** | **Part Four: The Tenant’s Defenses To Eviction and Affirmative Causes of Action Against the Landlord** |  |
| **Tuesday, Oct. 20** | **The Demise of Caveat Emptor** | **358-382** |
|  | **Implied Warranty of Habitability** | **382-419** |
| **Thursday, Oct. 22** | **More Implied Warranty of Habitability** | **419-463** |
| **Tuesday, Oct. 27** | **Even More Implied Warranty of Habitability** | **463-474** |
| **Thursday, Oct. 29** | **Rent Withholding** | **474-495** |
| **Tuesday, Nov. 3** | **More Rent Withholding** | **495-526** |
| **Thursday, Nov. 5** | **Technical Problems with Landlord’s Eviction Action** | **526-548** |
| **Tuesday, Nov. 10** | **More Technical Problems with Landlord’s Eviction Action** | **548-562** |
| **Thursday, Nov. 12** | **Reprisal, Repair and Deduct & Essential Services** | **562-571** |
| **Tuesday, Nov. 17** | **Consumer Protection Laws**  | **571-608** |
| **Thursday, Nov. 19** | **More Consumer Protection Laws** | **608-663** |
| **Tuesday, Nov. 24** | **In Class Problem Solving and Review** | **-----** |
| **Thursday, Nov. 26** | **NO CLASS -- THANKSGIVING** | **-----** |
| **Tuesday, Dec. 1** | **In Class Problem Solving and Review** | **-----** |