**Massachusetts School of Law at Andover**

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| **Landlord-Tenant Law** | |
| **Fall 2020** | |
| ***Professor Peter M. Malaguti*** | |
| [email: malaguti@mslaw.edu](mailto:malaguti@mslaw.edu) | |
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| **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.** | |
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| **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** | | **-----** |