

**UNIVERSITY OF BOLTON**  
**SCHOOL OF LAW**  
**LAW PATHWAYS**  
**SEMESTER 1 EXAMINATION 2018/19**  
**LAND LAW**  
**LAW5010/LAW5110**

DATE: Monday 14 January 2019

TIME: 10.00 – 12.00

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**INSTRUCTIONS TO CANDIDATES:**

This is a three hour exam.

There are 5 questions on this paper.

Answer 3 questions.

All questions carry equal marks.

Candidates are permitted to take into the examination a clean non-annotated copy of Blackstone's Statutes on Property Law.

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1. For seventeen-and-a-half years, Ged has used a path across Alexa's land as a short-cut to Brocklebank Cottage. In April 2017 Alexa put up a fence to stop Ged using the path and has told Ged that she is hoping to sell her land to Radcliffe Homes Ltd, who want to build a block of luxury villas.

**Advise Ged.**

2. Critically discuss the effect *Street v Mountford* [1985] AC 809 has had on the distinction between a lease and a licence.

**Your answer should include case law and academic authority.**

3. Megan, Craig, Lisa, Arthur and his girlfriend Daisy, decided that they would all like to live together. They buy a large detached house called Juliet Manor and it is conveyed to them in equal shares as joint tenants in law and in equity. They bought the house so they had somewhere to live whilst they completed their university studies.

Lisa and Megan argue about Lisa obtaining a higher mark in their Land law assignment. Lisa tells Megan she is "just jealous of her brains and beauty" and they start to fight. Lisa punches Megan on the back of the head, resulting in Megan suffering from concussion. Megan tells Arthur, Craig and Daisy that she can no longer live in Juliet Manor and has sold her share to her work colleague Ben.

Arthur and Daisy have relationship problems and Arthur decides that he would like to open a hotel in Sydney. Arthur sends written notice to sever the joint tenancy. However, once he posts it he changes his mind. Arthur makes sure that Craig and Daisy do not see the notice as he gets to the post before they do and he hides the notice.

Shortly after, Daisy is diagnosed with a terminal brain tumour and makes a will leaving all of her property to her best friend James. Daisy then dies.

**Advise Arthur, Craig, James, Ben and Lisa as to the ownership of Juliet Manor.**

**PLEASE TURN THE PAGE**

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4. The mortgagor's equity of redemption has been described as a "bundle of rights".

**With reference to case law and academic authority, discuss the extent to which you agree with this statement.**

5. Adam and Sarah married in February 2016 and purchased 54 Zuppa Lane in September 2016. Adam paid for the house himself with money he earned advertising teeth whitening products and Sarah paid the conveyancing costs. The house was registered in Adam's sole name.

In January 2017 Adam and Sarah agreed to renovate the ground floor. Sarah insisted on the most expensive furnishings, including the installation of a bespoke fireplace and marble worktops in the kitchen. To cover the cost of the renovation, Adam obtained a loan from Gringotts Bank who took a legal charge over the property. Sarah was unaware of this legal charge and thought Adam was paying for the renovation using his well-earned money.

The renovation work took ten months. During this period, Sarah, who was supposed to be 'working at home', spent as much time as possible helping the builders. Among other things, she made the builders scrambled egg and avocado on toast, dug and laid the drains, collected materials from numerous stores such as B and Q, Ikea and Debenhams.

In November 2017, Sarah's mother died leaving her estate (including a beauty spa) to Sarah. Sarah used her inheritance to pay for the installation of underfloor heating in the kitchen and bathroom at the property and the installation of a downstairs bathroom and conservatory. Since moving into the property, Sarah has done most of the housework and cooking.

Unfortunately, the couple have experienced matrimonial difficulties and Adam left the house in April 2018. Sarah has continued to live in the house. Adam has stopped paying the mortgage and Sarah has now discovered that there is a legal charge over the property. She is worried that Gringotts Bank may try to repossess the house.

**Advise Sarah. No divorce or matrimonial proceedings are contemplated by Sarah or Adam.**

**END OF QUESTIONS**