

The book was found

Real Property (Quickstudy: Law)

 REAL PROPERTY		
ESTATES HISTORY FEUDALISM 1. Tenants-in-lieu a. Supporter or in-lieu of lordship b. Recipient parcels of land in exchange for providing services to lord, including military and economic support 2. Subinfeudation a. Recipient parcels of land from tenants-in-lieu in exchange for services 3. Feudal Relationships a. Parity of land further subdivided b. Possession was at bottom of feudal hierarchy 1. Upon death and without heirs, possession of land reverted back to lord c. Upon death of possessor or tenant, possession was forfeited to lord 4. Modern Quia Emptio a. Further continuation of fee-simple tenancy distributed b. Tenants given right to alienate land, in substance possible tenant without heir's consent, with various being appropriate DEFINITION OF ESTATE 1. Interest in land that is currently or may become possessory, measured by some period of time FREE SIMPLE 1. Possession of fee estate without words of limitation and inheritance to the contrary DECLARATION FORFEITURE a. NO RESTRICTION ON ALIENABILITY MODERN TREND 1. Courts favor fee simple absolute over defeasible fee FREE TAIL COMMON LAW 1. To "he and the heirs of his body" 2. In-lieu of fee DECLARATION 1. Land used to create a blood line INHERITABLE 1. Restricted alienability to owner's descendants MODERN STATUTES FOR UNIFORM 1. Fee Simple in Common a. Excessively interest in the simple to become possessory if owner dies without issue 2. Life Estate in Common a. Fee Simple Reversion in Issue b. No issue (reverts to grantor) LIFE ESTATE DETERMINED BY LIFE OF GRANTEE 1. Pure Life Estate (life of grantor) a. Modern Law: If grantor dies before measuring life, life estate passes to grantor's heirs COMMON LAW 1. Life Estate (Heir's Life Estate) a. Death b. With test 1/2 Life Estate in each parcel of land (heir's life was used during marriage) REVERSION TO GRANTOR WHEN HE DIES OF NAMED GRANTEE 1. Reversion (possibility) MODERN STATUTES 1. Donor & Grantee abolished a. 1-year death, surviving spouse takes elective share - 50% of net assets b. Upon divorce, property is divided under principle of equitable distribution	NONFREEHOLD (LEASEHOLD) ESTATES TENANCY AT WILL 1. No fixed duration a. Terminated at any time by agreement of both landlord and tenant 2. Terminated by operation of law with notice a. Rule of privity b. Death of either party PERIODIC TENANCY 1. Automatic renewal a. Example: Month-to-month or year-to-year b. Termination by notification equal to notice c. Notice must specify the date of termination d. Common: Tenancy of 1 yr requires 6 mos. notice 2. Modern Trend: Governed by statute a. E.g., 1 year for year-to-year requires 1-month notice TENANCY AT SUFFERANCE 1. Wrongful holdover 2. Landlord has option to evict Tenant or hold Tenant to another lease TENANCY FOR YEARS 1. Specific period of time a. Terminally fixed by calendar but may be terminally open until death b. Termination at end of period without necessity of notice 2. More than one year a. No writing b. Statute of Years of French LANDLORD'S RIGHTS AND DUTIES 1. Common Law a. No liability for subsequent arising conditions b. No duty to maintain 2. Modern Law a. Assumption of repair (not necessarily) 1. Reasonable care required a. Not for common law b. Common promissory 1. Duty to exercise ordinary care 2. Quiet title 3. Warranty provisions in good repair 4. Liability for personal injuries 5. Duty not to interfere with Tenant's quiet enjoyment a. Duty not to pursue a nuisance b. Not responsible for acts of tenants (interfering with other tenants, except where exercise of legal ability has been granted) TENANT'S RIGHTS AND DUTIES 1. Entitled to possession 2. Reasonable Tenant entitled to Applied Warranty of Habitability a. Modern trend holds liability applied to commercial leases 3. Duty to pay rent 4. Liability for waste a. Destruction - In Duty - a. Abandonment b. Duty of reasonably good repair c. Liability to third parties REMEDIES FOR BREACH OF IMPLIED WARRANTY OF HABITABILITY 1. Contractual Breach a. Tenant may terminate lease, lease provisions and not pay further rent when, through the fault of landlord, there has been a substantial interference with the use and enjoyment of tenant's leased premises Restitutory Relief a. Tenant who claims violation of Housing Code and requests relocation to alternative, and landlord's premises be vacated as a condition for the repairing RIGHTS OF POSSESSOR GENERAL SUPPORT 1. Right to have land supported in natural state by adjacent owners a. Liability for damage to building if land would have collapsed in natural state RIGHTS IN PIPES 1. Right to have land supported in natural state by owners of interest under surface a. Liability for damage to building if land would have collapsed in natural state	WATER RIGHTS 1. Negative right of each owner to use all water needed for domestic purposes a. Common law limited to reasonable use 2. Prior Appropriation (first in time, first in right) TYPES OF TENANCY RIGHTS 1. Right of tenancy a. Negative right to property no longer subject to interest of decedent or tenant b. Right of negative right (predecessor's estate) may derive from will or state statute of decedent or tenant c. Some jurisdictions recognize only tenancy in common, where survivor's remainder is whole cannot be obtained without consent 2. Rights required a. Time, title, interest and possession b. Modern Statutes c. Estates - Tenant's lease already expressed in deed Specialties, Statutes a. Common Law b. Individual's rights subject to individual creditors c. Individual will d. No agreement e. Effectiveness of action against Tenant in Common f. Joint tenant's co-ownership of interest subject to joint tenancy with respect to that share g. Rights of co-ownership in fee share as Tenant in Common with surviving joint tenants Statutory Partition 1. Marriage a. Title (Marital) - Partition (joint tenancy) is not a common law. Legal title conveyed to both and becomes joint equity of co-ownership to receive legal title back upon payment of mortgage 2. Joint Tenancy (Marital) - The title passes as long as contract is working and capable of specific performance 3. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 4. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 5. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 6. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 7. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 8. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 9. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 10. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 11. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 12. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 13. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 14. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 15. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 16. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 17. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 18. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 19. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 20. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 21. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 22. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 23. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 24. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 25. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 26. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 27. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 28. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 29. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 30. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 31. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 32. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 33. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 34. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 35. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 36. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 37. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 38. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 39. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 40. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 41. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 42. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 43. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 44. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 45. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 46. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 47. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 48. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 49. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 50. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 51. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 52. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 53. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 54. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 55. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 56. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 57. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 58. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 59. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 60. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 61. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 62. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 63. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 64. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 65. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 66. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 67. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 68. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 69. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 70. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 71. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 72. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 73. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 74. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 75. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 76. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 77. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 78. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 79. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 80. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 81. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 82. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 83. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 84. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 85. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 86. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 87. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 88. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 89. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 90. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 91. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 92. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 93. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 94. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 95. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 96. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 97. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 98. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 99. Joint Tenancy (Marital) - Joint tenancy interest and not legal title 100. Joint Tenancy (Marital) - Joint tenancy interest and not legal title



Synopsis

Designed for tackling theÃ A bar exam; the quintessential need-to-know info for law students.

Book Information

Series: Quickstudy: Law

Pamphlet: 4 pages

Publisher: QuickStudy; Lam Crds edition (May 11, 2004)

Language: English

ISBN-10: 1572228342

ISBN-13: 978-1572228344

Product Dimensions: 8.5 x 11 x 0.1 inches

Shipping Weight: 0.3 ounces (View shipping rates and policies)

Average Customer Review: 4.3 out of 5 stars 30 customer reviews

Best Sellers Rank: #31,402 in Books (See Top 100 in Books) #4 inÃ A Books > Law > Business > Property

Customer Reviews

It works perfectly and great service!

no comment

Nice review of the law.

While most of the quickstudy laminates are useful, there are simply too many topics in Property Law to cover and this chart gives only the barest of details on any of the topics. It will NOT help you if you are attempting to memorize concepts for a law school exam or the bar exam.

Easy to use reference.

Great for a quick refresher.

I'm studying for the bar. This is a great way to refresh before tackling practice exams and essays?

Great amount of information packed in one small reference area.

[Download to continue reading...](#)

Real Estate: Passive Income: Real Estate Investing, Property Development, Flipping Houses (Commercial Real Estate, Property Management, Property Investment, ... Rental Property, How To Flip A House) Celebrity Bar Exams - Con law Criminal law Evidence Contracts Wills Real Property: Law school books / Law school exams Real Property (Quickstudy: Law) Intellectual Property Law (Quickstudy: Law) The Real Book of Real Estate: Real Experts. Real Stories. Real Life. Hawaii Real Estate Wholesaling Residential Real Estate Investor & Commercial Real Estate Investing: Learn to Buy Real Estate Finance Hawaii Homes & Find Wholesale Real Estate Houses in Hawaii PLI Multistate Bar Review (Contracts, Torts, Real Property, Criminal Law, Criminal Procedure, Evidence, Constitution Law) [Practicing Law Institute] Law in a Flash Cards: Real Property, 2013 Edition (Emanuel Law in a Flash) Hernando de Soto and Property in a Market Economy (Law, Property and Society) Cases and Materials on California Community Property Law: Marriage, Property, Code (American Casebook Series) The Smart Real Estate Investor: Real Estate Book Bundle 2 Manuscripts Expert Strategies on Real Estate Investing, Starting with Little or No Money, Proven Methods for Investing in Real Estate The Smart Real Estate Investor: Real Estate Book Bundle 3 Manuscripts Expert Strategies on Real Estate Investing, Finding and Generating Leads, Funding, Proven Methods for Investing in Real Estate Real Estate: 25 Best Strategies for Real Estate Investing, Home Buying and Flipping Houses (Real Estate, Real Estate Investing, home buying, flipping houses, ... income, investing, entrepreneurship) Real Estate: 30 Best Strategies to Prosper in Real Estate - Real Estate Investing, Financing & Cash Flow (Real Estate Investing, Flipping Houses, Brokers, Foreclosure) Florida Real Estate Law and Practice Explained (All Florida School of Real Estate - Florida Real Estate Mastery) (Volume 1) Real Estate Investing: 3 Manuscripts: How to Become Successful on a Property Market; How to Flip Houses for Passive Income; How to Become a Successful Real Estate Agent Criminal Law (Quickstudy Law) Family Law (Quickstudy: Law) Real Estate Law (Real Estate Law (Seidel, George)) Florida Real Estate Principles, Practices & Law (Florida Real Estate Principles, Practices and Law)

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)