

Leases & License – Daily Breakdown (Our PDF)

Day 1 – Leasehold Estates & Statutory Framework

Statute:

LPA 1925, s.1(1)(b): term of years absolute = legal leasehold estate.

LPA 1925, s.52: leases generally must be made by deed.

LPA 1925, s.54(2): exception — leases not exceeding 3 years at best rent can be created orally.

Concepts:

Difference between **freehold estate** and **leasehold estate**.

Leasehold = time-limited slice of ownership.

Task: Write short notes explaining why leases are “estates in land” (not just contracts).

Day 2 – The Lease v Licence Distinction

Key Case: *Street v Mountford* [1985]

Test for a lease:

Exclusive possession

For a certain term

At rent (traditionally, though now not essential).

Cases for contrast:

AG Securities v Vaughan (no exclusive possession, only licence).

Aslan v Murphy (sham licence clause).

Task: Make a comparison table: **lease vs licence** (criteria, rights, remedies).

Day 3 – Formalities & Practical Examples

Formalities Recap:

By deed = valid lease (s.52).

Exception for short leases (s.54(2)).

Case: *Ashburn Anstalt v Arnold* (no rent requirement, lease still valid).

Problem Question:

A student rents a bedroom for 6 months with exclusive possession and pays monthly rent. Lease or licence?

Task: Write IRAC-style answer: apply *Street v Mountford* test.

Day 4 – Problem Scenarios & Application

Scenario Practice:

“Servants’ quarters given to caretaker in return for work” → lease or licence?

“Hostel accommodation for shifting occupants” → lease or licence?

Activity: Debate why courts care about the distinction (policy: security of tenure, statutory rights under Housing Acts).

Task: Draft a short exam-style paragraph: “Why does it matter if an arrangement is a lease or a licence?”

Day 5 – Consolidation & MCQs

MCQs (Self-Test):

Which leases must be created by deed under LPA 1925?

What is the exception for leases not exceeding 3 years?

What is the central test from *Street v Mountford*?

Does the absence of rent prevent a lease? (Ashburn)

Which case illustrates multiple occupiers without exclusive possession?

Review Task: Create a one-page flowchart:

Is it a lease? (exclusive possession? fixed term? formality?)

If not, licence.

Video Recap: Amanda's "Leases & Licences" full lecture.

End of Week Outcome

By the end of the week, you should be able to:

Explain statutory basis for leasehold estates.

Apply the *Street v Mountford* lease test.

Distinguish lease vs licence with case law.

Identify formalities for creating leases under s.52 & s.54(2).

Solve problem questions and MCQs with confidence.