

5.00 credits



30.0 h

Q2


**This learning unit is not open to incoming exchange students!**

Teacher(s)	Durant Isabelle ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	<p>The course is divided into two parts. In a first part, the private facets of the acquisition of a built real estate are examined, considering that an acquisition may result from a primary mode (such as construction) or from a secondary mode (such as contractual transfer). The second part of the course is devoted to private facets relating to possession of built real estates, considering that possession may result from a <i>ius in re</i> (real or property right) or <i>ius ad rem</i> (obligatory right). For each of those two parts, sometimes basic knowledge are detailed (sale contract, contract of hiring of work, liability of builders, etc.), sometimes new acts are studied (Act "Breyne", Act relating to Commercial Leases, Time-Sharing, etc.).</p>
Learning outcomes	
Evaluation methods	<p>Written examination on the subjects taught, outside term time.</p> <p>The exam consists of several questions. The final grade is not purely arithmetic and depends on the overall assessment.</p> <p>Legislative texts are available to the student during the examination. These texts may not be annotated.</p> <p>However, in legislative texts taken to the examination, in accordance with the guidelines suggested by the Master of Laws Commission, the student is authorised to :</p> <ul style="list-style-type: none"> <li>- underline or highlight words or phrases;</li> <li>- circle words (not single letters);</li> <li>- indicate references by number from article to article accompanied, where appropriate, by the initials of the corresponding standard (e.g. C. civ. for Code civil). Please note that these numerical references must be limited to what is strictly necessary.</li> </ul> <p>Post-it notes' may be used, but they must not include any annotation.</p> <p>Students may bring a calculator (not their mobile phone or smartphone).</p> <p>The assessment language is French</p> <p>Depending on exceptional constraints, it may be possible to 'repatriate' the written exam during the session, or even to replace the written exam with an oral exam.</p>
Teaching methods	<p>Teaching is delivered in the traditional form of a lecture in a classroom (face-to-face), supported by a PowerPoint presentation (the presentation used is distributed after each class session via the Moodle platform). Interactivity with students is encouraged (particularly during practical exercises).</p> <p>If the situation, particularly in terms of health, requires it, the course (including tutorials) may be delivered remotely.</p>
Content	<p>The philosophy of the course is to follow and comment, from the perspective of property law, on the progress of a person who owns undeveloped land and who wishes to build on this land (a house or flat block), sell the building and/or rent it out. For each topic covered, basic knowledge will be explored in greater depth (sale and work contracts, the liability of those involved in construction, the right of emphyteusis), while new legislation will be studied (the Breyne Act, specific rules relating to certain types of lease - commercial lease -, co-ownership, etc.).</p> <p>More specifically, the following topics will be covered:</p> <ul style="list-style-type: none"> <li>- the construction of a property and the role of the architect;</li> <li>- the Breyne Act;</li> <li>- the sale of a property and the role of the real estate agent;</li> <li>- co-ownership by apartment;</li> <li>- commercial leases.</li> </ul> <p>The course presupposes knowledge of the law of obligations, contracts and property (real rights).</p>
Inline resources	<p>The PowerPoint presentation that supports the lecture is gradually released after each class session via the Moodle platform.</p>

<p>Other infos</p>	<p>The real estate law course is designed to complement students' basic training in the law of contracts, obligations and property, by focusing on issues relating to the construction, acquisition and occupation of a built property. Based on a resolutely practical approach, it aims to give students a concrete overview of the real estate sector, both in terms of some of its key players and in terms of the transactions taking place within it. The aim is to familiarise students with this important economic sector and give them the tools to understand/assimilate/deconstruct certain mechanisms specific to it. More specifically, at the end of the course, students should be able to: - analyse the provisions contained in the legislation studied and comment on the interpretation generally given to them in legal doctrine and case law, - demonstrate in-depth knowledge of the private aspects of real estate construction, acquisition and occupation transactions, and - critically analyse and explain these same transactions. This course is part of a coherent three-course option. The holders of the courses in the option form a teaching team: they agree on the content and methods of each course to ensure that they complement each other. The course is based on teaching methods that encourage student participation and are designed to ensure that the teaching is as practical as possible (presentations based on real-life case studies; examination of agreements/acts relating to real estate transactions; possible debate with guest practitioners, etc.), enabling students to develop a critical, forward-looking and inventive approach on their own. With this in mind, the teachers of the different options consult each other within the Faculty on the teaching methods used.</p> <p>The contribution of this unit to the development and mastery of the skills and knowledge acquired in the programme(s) can be found at the end of this sheet, in the 'Programmes/training courses offering this teaching unit (EU)' section.</p>
<p>Faculty or entity in charge</p>	<p>BUDR</p>

<b>Programmes containing this learning unit (UE)</b>				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law	<a href="#">DROI2M</a>	5		
Master [120] in Law (shift schedule)	<a href="#">DRHD2M</a>	5		
Master [120] in Law (shift schedule)	<a href="#">DRLN2M</a>	5		