

Course Unit: **9242521 – Lease Laws**

Year 3 Semester 5 ISCED Code: 380 ECTS: 5,0

Type of Course Unit: Compulsory Delivery Mode: Face-to-face Language of Instruction: Portuguese

COURSE COORDINATOR: Manuel David Masseno

HOURS OF WORK

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
125		45	15						65

Prerequisites (if applicable): Not applicable

LEARNING OUTCOMES (knowledge, skills and competence)

The objective of the present U.C. is to provide students with the following knowledge and technical skills:

1. Knowledge:

- a) To understand how leasing located and works within the Portuguese Legal System;
- b) To separate between the different types of lease agreements; and
- c) To understand the means and methods of termination of lease agreements, in particular with regard to the different procedures applicable to each agreement.

2. Skills and competences:

- a) To identify and distinguish between the various types of lease agreements existing in Portugal;
- b) To describe the types of lease agreement; and
- c) To draft different types of lease agreements.

CONTENTS

I - Lease Agreements in General

- a) Historical backgrounds and functions;
- b) The common legal regulation;

II - Residential and Commercial Leases:

- a) Purpose and objectives of the residential lease agreements;
- b) Elements of residential lease agreements
- c) Formation, life and extinction of residential lease agreements;
- d) Commercial lease agreements;
- e) Procedural provisions on lease agreements.

III - Farm lease agreements:

- a) Purpose of farm lease agreements;

- b) Elements of farm lease agreements
 - c) Conservation and refurbishment of the farm;
 - d) Formation, life and extinction of farm lease agreements;
 - e) Procedural provisions.
- IV. Analysis and drafting of lease agreements.

DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES

The present course unit aims to equip the students with theoretical knowledge on rules applicable to residential, commercial and rural lease agreements, their specific characteristics and motivations. The practical component of the curricular unit will be developed by drafting lease agreements, as well as by answering to questions in class.

The interconnection between the program contents and its objectives is as follows:

- I - Lease Agreements in General - Objective 1 (a); and Objective 2 (a)
- II - Residential and Commercial leases - Objective 1 (a), (b) and (c); and Objective 2 (b).
- II - Farm Lease agreements - Objective 1 (a), (b) and (c); and Objective 2 (b).
- IV - Drafting of lease agreements - Objective 2 (a) and (c).

TEACHING METHODOLOGIES

Lectures, individual or group presentations and analysis of case law and research articles, as well as guided study, with the support of ICT.

Materials, informations and other content will be made available on the course Moodle platform, which will also be used the interaction between lecturers and students.

The classes will be devoted to the discussion of connected topics, as well as the resolution of problems and the drafting and analysis of lease agreements.

DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES

The course will follow a methodology centered in learning promoted by the practical application relevant knowledge, through the resolution of problems and practical cases, with the support of ICT - Objective 1 (a), (b) and (c).

The resolution of practical cases and analyses of lease agreements is designed to prepare students to discuss problems and solve practical questions - Objective 2.

Drafting of lease agreements - Objective 2 (a) and (c).

EVALUATION METHODS

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.

2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.

3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

MAIN BIBLIOGRAPHY

Essential:

1. Arrendamento Urbano, (10ª edição) de Luís Manuel Teles de Menezes Leitão, edição: Coimbra, Almedina, 2020;
2. Arrendamento Rural - Sumários Desenvolvidos, de Manuel David Masseno (Polic.), IPBeja, 2020; e
3. Comentário ao Reime do Arrendamento, de Jorge Henrique da Cruz Pinto Furtado, edição: Coimbra, Almedina, 2019.

Optional:

1. Manual de Arrendamento Urbano - Volume I (5ª Ed. Revista e Atualizada) e Volume II (5ª Ed. Atualizada), de Jorge Henrique da Cruz Pinto Furtado, edição: Coimbra, Almedina, 2009.
2. Leis do Arrendamento Urbano Anotadas, de António Menezes Cordeiro, edição: Coimbra, Almedina 2014
3. Arrendamento — Direito Substantivo e Processual (Reimpressão), de Francisco Pereira Coelho, edição: Centro de Investigação Jurídico-Económica da Faculdade de Direito da Universidade do Porto, 2016

4 Arrendamento Rural (4ª Ed.), por Jorge Alberto Aragão Seia, Manuel da Costa Calvão e Cristina Aragão Seia, edição: Coimbra, Almedina, 2003.

Year of implementation: 2021/2022 | Date of approval by the Technical-Scientific Board: