



Law

LAWGENRL 438 : Housing Law and Policy (10 POINTS)

Course Prescription

An examination of the law and the policy considerations that relate to residential housing including: the historical development and current state of residential tenancy protection legislation; the relationship between social policy and housing regulation; human rights and social equity considerations; economic measures to achieve government policy objectives for housing; regulating the private rental market; property rights and security of tenure issues; 'consumer protection' measures to ensure safe and habitable housing; housing and natural disasters; retirement housing; new forms of housing ownership; and dispute resolution.

Course Overview

Housing Law and Policy is intended to explore the social, economic and legal aspects of peoples' aspirations and legitimate expectations for affordable, habitable and healthy housing. The course traverses a broad range of social, political and legal issues, and examines many aspects of law that are relevant to this topic, including property, contract, public and human rights law. The course will include the following areas of specific focus:

- The "right to housing", including the historical origins of social housing law and policy, and current international and domestic measures relating to housing;
- The various regulatory and policy measures that apply to housing in New Zealand today;
- The various mechanisms for owning and/or occupying residential premises and homes;
- Legal and policy measures designed to ensure an acceptable level of quality and habitability for housing stock; and
- The provision of housing for specific and disadvantaged groups within society, and in times of crisis and natural disaster.

Course Requirements

Prerequisite: LAW 301

Capabilities Developed in this Course

Capability 1: Disciplinary Knowledge and Practice

Capability 2: Critical Thinking

Capability 3: Solution Seeking

Capability 4: Communication and Engagement

Quizzes	✓		✓		✓	✓	✓	
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The essay will cover, at the student's option, any of the topics in the course.

The Exam may cover some or all of the topics in the course.

The Exam will be open book.

Workload Expectations

This is a standard 10-point course. There will be around 24 hours of lectures in this course. As a general guide, you should expect a workload of three hours outside of the classroom for each hour spent in class. The guideline for the total workload for this course is 100 hours.

Delivery Mode

Campus Experience

Attendance is expected at scheduled activities lectures.

Lectures will be available as recordings.

The course will not include live online events.

Attendance on campus is required for the exam.

Learning Resources

The primary text that will be referred to in Part 2 of the course is D Grinlinton, *Residential Tenancies: The Law and Practice* (4th edition, 2012, LexisNexis, Wellington).

Students should purchase the Residential Tenancies Act 1986.

Other texts that students will find useful include:

- D Cowan, *Housing Law and Policy* (2011, Cambridge University Press, Cambridge) ;
- N Campbell, T Collins, J Foster, T Gibbons, J Goodall, D W McMorland, S Scott & P Twist, *Principles of Land Law in New Zealand* (3rd edition, 2020, LexisNexis, Wellington) [generally on real property law];
- J Hohmann, *The Right to Housing: Law, Concepts, Possibilities* (2013, Hart, Oxford)
- E Toomey (Gen Ed), *New Zealand Land Law* (3rd ed, 2015, Brookers, Wellington).
- Further materials will be posted on CANVAS during the course.

Student Feedback

At the end of every semester students will be invited to give feedback on the course and teaching through a tool called SET or Qualtrics. The lecturers and course co-ordinators will consider all feedback and respond with summaries and actions.

Your feedback helps teachers to improve the course and its delivery for future students.

Class Representatives in each class can take feedback to the department and faculty staff-student consultative committees.

Digital Resources

Course materials are made available in a learning and collaboration tool called Canvas which also includes reading lists and lecture recordings (where available).

Please remember that the recording of any class on a personal device requires the permission of the instructor.

Academic Integrity

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student's own work, reflecting their learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. A student's assessed work may be reviewed against online source material using computerised detection mechanisms.

Inclusive Learning

All students are asked to discuss any impairment related requirements privately, face to face and/or in written form with the course director, lecturer or tutor.

Student Disability Services also provides support for students with a wide range of impairments, both visible and invisible, to succeed and excel at the University. For more information and contact details, please visit the [Student Disability Services' website](http://disability.auckland.ac.nz) <http://disability.auckland.ac.nz>

Special Circumstances

If your ability to complete assessed coursework is affected by illness or other personal circumstances outside of your control, contact a Student Academic and Support Adviser as soon as possible before the assessment is due.

If your personal circumstances significantly affect your performance, or preparation, for an exam or eligible written test, refer to the University's [aegrotat or compassionate consideration page](https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html) <https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html>.

This should be done as soon as possible and no later than seven days after the affected test or exam date.

Learning Continuity

In the event of an unexpected disruption we undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. You will be kept fully informed by your course co-ordinator, and if disruption occurs you should refer to the University Website for information about how to proceed.

Student Charter and Responsibilities

The Student Charter assumes and acknowledges that students are active participants in the learning process and that they have responsibilities to the institution and the international community of scholars. The University expects that students will act at all times in a way that demonstrates respect for the rights of other students and staff so that the learning environment is both safe and productive. For further information visit [Student Charter](https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html) <https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html>.

Disclaimer

Elements of this outline may be subject to change. The latest information about the course will be available for enrolled students in Canvas.

In this course you may be asked to submit your coursework assessments digitally. The University reserves the right to conduct scheduled tests and examinations for this course online or through the use of computers or other electronic devices. Where tests or examinations are conducted online remote invigilation arrangements may be used. The final decision on the completion mode for a test or examination, and remote invigilation arrangements where applicable, will be advised to students at least 10 days prior to the scheduled date of the assessment, or in the case of an examination when the examination timetable is published.