Book reviews

Landlord and Tenant Law

Title: Landlord and Tenant Law

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The preface describes the aim of this book as ‘to provide a sound basic text on the Law of Landlord and Tenant’. Does the book achieve this aim?

If the emphasis is placed on the word ‘basic’, your reviewer has concluded that the book does indeed achieve this aim.

The book is divided into two parts. The first deals with the general law of Landlord and Tenant. The second deals with what is called ‘the statutory codes’. The division in terms of pages is roughly equal. The first part (which deals with the general law) is a clear and useful summary of what might be called the ‘common law’ of Landlord and Tenant and is of great assistance to a student coming to this area of law for the first time. The second part of the book dealing with the statutory law is also very clear. But in order to achieve an equal balance between the two parts of the book and to contain the text within a small volume of approximately 350 pages, the text of the second part, while clear, lacks the detail needed for a full understanding of what is ultimately a very complex area of law. One of the particular difficulties with the statutory law that governs landlord and tenant is that there are over a dozen statutes, plus numerous assorted statutory instruments that regulate this law in the residential, business and agricultural sectors. Added to which there is constant legislative change inevitably driven by social or political aims. The authors have ably compressed this second part of the book into less than 200 pages. But, as stated above, this compression comes at a price. For example, in one crucial area in business Landlord and Tenant law (being the grounds of opposition to be used by a landlord under Section 30 of the Landlord and Tenant Act 1954), there is a lack of detail, especially in the citation of recent cases, to enable a proper assessment of whether and in what circumstances any ground under Section 30 could be relied upon with any degree of success. But once it is accepted that the book is a primer, this observation is meant as a comment and not as a direct criticism.

After each chapter there is a clear summary of the contents of that chapter, followed by questions for readers to ask in order to check their grasp of the text: of great assistance to students no doubt. There are also useful ‘workshop scenarios’, which are designed to prompt a discussion of the law and principles set out in each chapter. These are no doubt handy for tutorial or revision groups. Curiously in part 1 of the book (under the general

law) the cases cited in the text are gathered together at the end of the chapter under each footnote and very useful thumb-nail head notes of each case cited are given. In part 2 of the book these head notes do not appear and the treatment of the cases is dealt with conventionally in the text. Why this difference exists is not clear and is not explained in the preface. It is suggested that for the sake of student readers (if not others) the treatment of the cases cited in part 2 in any future edition should follow the treatment in part 1: so far as this may be possible within the scale of the book as a whole.

Overall, as is stated at the outset, this is a basic text that serves as a useful introduction to a complex area of law. While it cannot compete with the multi-volume loose leaf publications on the subject, it fits very well on the shelf where a short answer to a point will allow the researcher to identify the relevant section of a statute, a case, or a principle. The researcher can then move to the heavyweight loose leaf publications with a degree of confidence. As this area of law is always changing, it is hoped a new edition of this book will be forthcoming every four years or so in order to ensure that the text does not become too out of date. For these reasons your review has concluded that the book does indeed achieve its aim as a sound basic text on the law of Landlord and Tenant.

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