

REAL ESTATE ETHICS

5



TRUE LIFE
LANDLORD
TENANT

UNPAID RENT DISPUTE

Q&A ACTIVITY
ASSESSMENT & DISCUSSIONS

PATTY ANN

REAL ESTATE ETHICS 5

TRUE LIFE LANDLORD TENANT UNPAID RENT DISPUTE Q&A ACTIVITY ASSESSMENT & DISCUSSIONS

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REAL ESTATE ETHICS

Teacher Lesson Planning Ideas

Welcome! Offered below are ideas for using this lesson plan.

Intentionally Designed

- Pages are in large size type styles for visibility to use on overheads.
- Progressive scenarios are presented in several steps with Q&As.
- Targeted Q&A discussions are connected with associated parts 1, 2 & 3.
- Individual pages allow for Parts (1, 2 & 3) to be presented separately.
- Use on the overhead or as handouts; or a combo of both.

Intentionally Created

- Q&A encourages thoughtful and progressive solution oriented answers!
- Use Q&A to encourage discussion and exploration of possibilities!
- Information is based on real life situations and is stated as it happened.
- Supports comprehensive ethical practices in the real estate profession.

For Individuals & Groups

- Use the pages for small group- or class activity discussions.
- Use the pages as independent study, reflection, and assessment.
- All pages are in black/white to conserve ink.
- Assessment of Behaviors and the Code of Conduct pages can be used for more discussion and/or as a summary, or a quiz.

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Unpaid Rent Dispute

SITUATION (Part 1):

Landlord Kyle owned a rental house that was rented to Lisa. Kyle had a written Rental Agreement for a month to month tenancy signed by Lisa.

Lisa rented Kyle's house for several years. One day she called and said she was moving out, but her friend agreed to continue to rent the house. Kyle was not aware Lisa had a second tenant in the home. When Kyle asked how long "Jim" had been living with her, Lisa stated several months. However, she was breaking up with Jim and wanted to move elsewhere. And she asked for her deposit to be returned.

Kyle told Lisa considering the expenses he would retain and return her deposit, if appropriate, when Jim moved out. Lisa agreed with this and said she would get it from Jim when he terminated his tenancy. Kyle left it at that with Lisa. Kyle also talked to Jim with the understanding he could stay under the same rental agreement that was made with Lisa.

Jim paid the first month's rent on time. The second month's rent came 10 days late. Kyle talked with Jim about paying on time and that a late fee would be assessed after day 2. The third month Jim did not pay by the 10th. Kyle confronted him again. Jim said he didn't have the money then, but promised to pay. He never did. And did not pay the next month's rent either. When Kyle confronted Jim about his ability to pay rent, it was apparent Jim had no intention to do so. Jim said he was unemployed. And by all appearances he was on drugs.

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Unpaid Rent Dispute

Situation (Part 1)

Questions for Discussion:

1) If you were Kyle how would you have handled the transition between tenants?

2) Should Kyle have made Jim sign a whole new rental agreement and give Lisa her rental deposit back?

3) What would you do if your renter decided to drop the rent slide? What actions would you take?

4) By the 4th month it was apparent Jim had no intention of paying rent. How do you think Kyle should proceed at this point?

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Unpaid Rent Dispute

Situation Unfolds (Part 2):

Kyle called a Lawyer for advice. After hearing Kyle out, the Lawyer told Kyle he would need to start a legal eviction procedure. He told Kyle that he could not just kick Jim out because he had tenant rights and might sue Kyle. That the process had to be done legally, even if Jim was a drug addict who could not pay rent. Furthermore, the entire process could take up to 6 months whereby at the end a Sheriff would be summoned to escort Jim from Kyle's premises.

Kyle challenged the Lawyer's advice. He told the Lawyer if Jim did not have any money to pay rent, how was he going to hire a Lawyer to file a lawsuit against him? The Lawyer would take on the case of an addict who refused to pay rent? Kyle thought it was preposterous that Jim could freeload in his house while he had to pay legal fees to remove Jim from his house. Furthermore, Jim never signed a formal rental agreement with Kyle. Therefore Jim was essentially squatting in his house and not a legal tenant.

Kyle told the Lawyer that he was just going to kick Jim out and not bother with the legal system since Jim was not a legal abiding citizen. The Lawyer cautioned Kyle heavily. Kyle thanked him and hung up.

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Unpaid Rent Dispute

Situation Unfolds (Part 2)

Questions for Discussion:

1) Do you agree with Kyle's legal assessment of his situation based on the facts presented?

2) Do you believe the lawyer's advice was sound and in good judgment based on the tenant's history?

3) If this happened to you, would you call a Lawyer for advice? What other resources would you rely on before making a decision on how to handle this type of tenant dispute?

4) At this point, if you were Kyle, what actions would you take to resolve to get back rent- or current rent from Jim- and/or remove him from the premises?

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Unpaid Rent Dispute

Assessment of Behaviors

List 4 choices that Kyle made in handling in this situation. Then list what your choices would have been given the exact situation- if you were the landlord. This is an assessment (not a judgment) of both Kyle's -and your- choices. Use this exercise to think of options, and reason proactively for best outcomes.

Kyle's Choice	What Choice You Might Make

THANK YOU!

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For their immeasurable qualities of
Healing & unconditional love & acceptance.
By care-taking animals, humanity will continue to
Ascend to a higher place alongside our furry friends.*