

FE 1 exam REAL PROPERTY

1. The nature of Land Law and its historical background.
2. Finding. Determining ownership of objects found on land, including treasure trove.
3. The Doctrine of Estates.
4. The Influence of Equity. The Concept of the Use. The Statute of Uses (Ireland), 1634. Effects of the Statute of Uses today and the Modern Trust. The Concept of Equitable Interests and Estates.
5. Co-ownership - Joint Tenancy and Tenancy in Common.
6. Adverse Possession. The Origins and Requirements of Adverse Possession. The Effect on Title and the Concept of Parliamentary Conveyance. Meaning of Possession and Animus Possidendi. The Statute of Limitations. Retention for Future Use. Adverse Possession of Leasehold Property.
7. Licences and Proprietary Estoppel. The Concept of a Licence. Bare Licences. Licence coupled with an interest. Contractual Licences. Proprietary Estoppel. Requirements and Recent Developments. Third Parties. Rights of Residence, their Nature and Effect.
8. Mortgages.
 - (a) Legal and Equitable Mortgages. Registered and Unregistered Land. The Position of the Parties under Mortgages. The Doctrine of Consolidation. The Doctrine of Marshalling. Priorities.
 - (b) Judgment Mortgages. Nature and Effects. The Judgment Mortgage (Ireland) Acts, 1850-1858. Registration and Well Charging Orders.
9. Settlements of Land. Origins and Purpose. The Settled Land Act 1882-1890. The Definition of Settled Land. Powers and duties of the Tenant for Life. Trustees of the Settlement. Overreaching Effect of Sale. Trusts for Sale.
10. Family Property. Trusts of the Family Home. Direct and Indirect Contributions. The Presumption of Advancement. Family, Matrimonial and Co-owned Property. The Family Home Protection Act, 1976. The Meaning of Conveyance, the Family Home and Consent. The Family Law Act, 1995 and the Family Law (Divorce) Act, 1996. Property Adjustment Orders. Impact of Divorce and Family Breakdown.
11. Future Interests- Reversion and Remainders, Executory interests, the Rule against Perpetuities.
12. Landlord and Tenant. Nature of relationship. Creation and termination. Assignment and subletting. Agreements and covenants.
13. Registered and Unregistered Land.
 - (a) Registered Land and the Registration of Title Act, 1964. Voluntary and Compulsory Registration. Classes of Title. Conclusiveness of Register. Overriding interests.
 - (b) Unregistered Land. The Registration of Deeds (Ireland) Act, 1707. The Registry of Deeds and Documents Registrable. Searches. Priorities. The Doctrine of Notice. Effect of the Bona Fide Purchaser Defence.

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