

Box A

THE ESSENCE OF A LEASE

You must tick boxes 1, 2 and 3

A LEASE CAN EXIST IF THERE IS:

1. Exclusive possession

and

2. A certain term

and

3. Rent or consideration

BUT A LEASE WILL NOT EXIST IF

4. There is no intention to create a legal relationship

or

5. There is an act of friendship or generosity

or

6. There is a service occupancy

or

7. There is a lodger

Box B

THE CREATION OF A LEASE

Tick as many boxes as possible but at least one:

A lease can be created by the following means. The type of lease that results is in brackets

1. By deed (legal lease)

2. Under section 54(2) of the Law of Property Act 1925 (legal lease)

(i) A fixed term lease or

(ii) An express periodic tenancy or

(iii) An implied periodic tenancy

3. Under section 2 of the Law of Property (Miscellaneous Provisions) Act 1989 (equitable lease)

4. By proprietary estoppel

Box C

THE PROTECTION OF A LEASE

Look at either

UNREGISTERED LAND

1. Legal lease

2. Equitable lease

OR look at

REGISTERED LAND

3. Dealings which must be completed by registration

4. Interests which override a registered disposition

5. Interests entered as a notice or protected by a restriction