

BREVET DE TECHNICIEN SUPÉRIEUR
PROFESSIONS IMMOBILIÈRES

ÉPREUVE E 2 : ANGLAIS

SESSION 2021

Durée : 2 heures

Coefficient : 2

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IMPORTANT

Ce sujet comporte 3 pages numérotées de page 1 sur 3 à page 3 sur 3.
Assurez-vous qu'il est complet ; s'il est incomplet, veuillez le signaler
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Student housing: do I still need to pay if I've left?

Whether or not students must continue to pay rent during the Covid-19 lockdown will depend on the type of accommodation and their tenancy agreement, say legal experts.

5 The coronavirus lockdown has caused major disruption to students, driving many back home as universities have been forced to close, leaving their rented halls of residence or privately rented rooms empty.

Some accommodation providers have agreed to waive¹ or cut fees, but others have refused to release students from their contracts. Students in privately run accommodation in several cities have gone on rent strike, including Portsmouth and Bristol.

10 Issues about whether or not students must continue to pay rent for accommodation that they are not using due to the coronavirus crisis will depend on the type of accommodation or their tenancy agreement.

15 If a student has a private landlord, it is likely that they will have entered into an assured shorthold tenancy agreement², which may be hard to get out of, says Daniel Fitzpatrick, a housing partner of the law firm Hodge Jones & Allen, although they could try arguing that the contract has been frustrated by the Covid-19 outbreak.

In rare instances, tenancy agreements contain a “force majeure” clause, allowing parties to terminate a contract if events beyond their control prevent them from performing their obligations under it.

20 While Covid-19 may be a force majeure event, says Manjinder Kaur Atwal, director of housing and property litigation at the law firm Duncan Lewis, it is unlikely to stop a tenancy from continuing.

If students have entered into a contract for a fixed period of time, which is yet to expire, she explains there may be a break clause allowing them to terminate the contract before the end of the fixed term, after providing the required notice.

25 Students are advised to negotiate with their landlord immediately, as the obligation to pay their rent will continue in accordance with their contract, and adds Atwal, they could remain liable for any rent due up to the expiry of the notice period.

30 If the contract does not have a break clause or it cannot be applied yet, there is no automatic right to end the contract. Here, students seeking to terminate their tenancy should notify their landlord.

Fitzpatrick says a landlord may agree to terminate the contract, in which case they will no longer have to pay the rent. Alternatively, a landlord may agree to a rent reduction or waiver³ for a certain period.

35 In the event the student is not released from the contract, Atwal adds, the landlord has the right to request the money due from the student or their guarantor, even after the student has moved out. [...]

Catherine Baksi, *The Guardian*, 6 May, 2020

¹ Waive: abandon, give up

² An assured shorthold tenancy agreement: *un bail d'habitation à courte durée*

³ Waiver: the fact of giving up

I - Compréhension (10 points)

Après avoir lu attentivement l'article ci-dessus, vous en ferez une synthèse en dégagant les idées essentielles **en français**.

Vous rédigerez votre réponse en 180 mots (+/- 10%).

Vous indiquerez le nombre de mots que vous avez utilisés.

Toute présentation sous forme de notes sera pénalisée.

II - Expression (10 points)

Vous traiterez le sujet suivant **en anglais**.

Vous rédigerez votre réponse en 200 mots (+/- 10%).

Vous indiquerez le nombre de mots que vous avez utilisés.

You are Alix Bernard, an estate agent working in a big city in France.

You have received an email from Julia Maguire, a British student on an exchange programme for the academic year.

She has rented a flat with a private landlord through your agency. With the pandemic outbreak and the university closing, she wants to go back home earlier.

Write an email to explain two possible options available to her.