

IRAC Method and Example

Problem Question

A property owner, John, rents a room in his house to a tenant, Jane. Jane has been living in the room for 2 years, and the rental agreement states that rent is due on the 1st of each month. On the 5th of the current month, John tells Jane that he needs the room back and that she has to leave by the end of the month.

Advise John on whether he has the right to terminate the tenancy.

Model Answer

[Issue] The issue is whether John has the right to terminate the tenancy. **[Rule]** Under the law, a landlord has the right to terminate a tenancy if the tenant is in breach of the rental agreement, or if the landlord has a valid reason for termination. **[Application]** In this scenario, it does not appear that Jane has breached the rental agreement by failing to pay rent or by engaging in any other prohibited activity. Furthermore, John does not provide a valid reason for termination, such as needing the room for personal use. **[Conclusion]** Based on the information provided, it appears that John does not have the right to terminate the tenancy. Jane has the right to continue living in the room until the end of the rental agreement, or until John provides a valid reason for termination.

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John A. Bauman, Kenneth H. York



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