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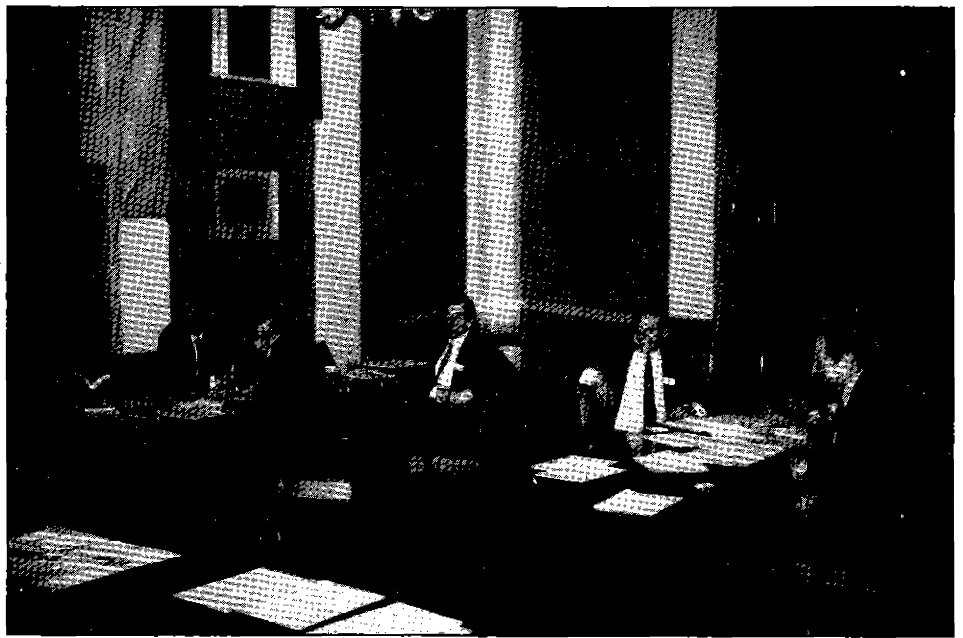
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# THE LANDLORD & TENANT GAME

## An Instructional Simulation

by MARTIN WYNN



*A Demonstration Session of The Landlord & Tenant Game at Headquarters.*

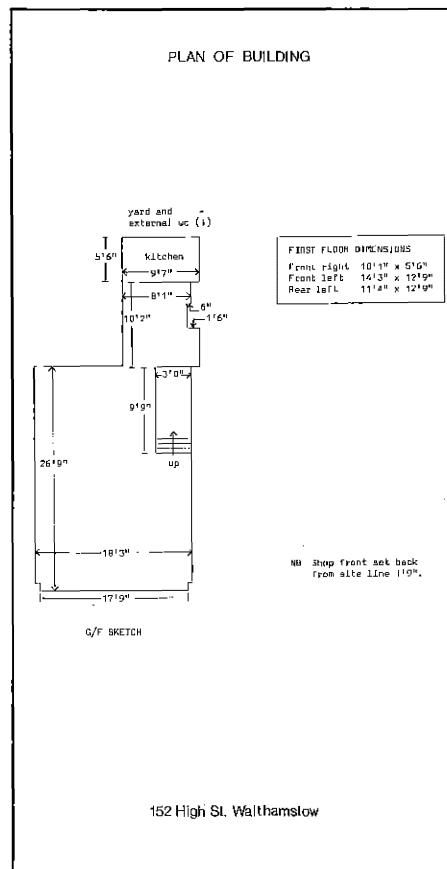
### INTRODUCTION

The Society's 1982 research contract was awarded to North East London Polytechnic's Department of Estate Management to design and test a Landlord and Tenant Game for use at ISVA branch meetings and in other educational contexts. This article outlines the background to the project, gives a brief description of the Landlord and Tenant Game itself and makes some concluding observations on the educational potential of simulated exercises.

With demands on the practising professional becoming greater than ever case study simulations can play a valuable role in providing participants with the deeper insights and broader awareness they need today. The stimulus for these games has come from several areas. Within an undergraduate teaching context, there has for some time been a certain 'confusion concerning the objectives of estate management education and the methods by which they can best be achieved' (1). Many have seen full-time education as the 'soft' way into the surveying profession, producing graduates with little experience either of real world decision-making or of the complexities of land administration in practice. Gaming exercises can help offset this criticism by giving participants simulated experience of the dilemmas and interdependencies encountered in professional life. At the same time, in a mid-career training context, gaming sessions are seen as making a major contribution to the growing demand for short training sessions which help widen the practitioner's perspectives and help update him on new legislation and on changes in professional practice.

### WHAT ARE CASE STUDY SIMULATIONS?

These teaching and training units build on two well-established educational techniques — the case method and gaming simulation. Following the early



*Plan of The Building which is the subject of the renewal in The Landlord & Tenant Game.*

work of Cresswell (2), the case method became closely associated with the Harvard Business School's teaching in the fifties and sixties (3). Students were fed a variety of facts and figures, based on a real world case and after a series of group and plenary discussions, individuals were asked to make and defend 'key' decisions related to the case in front of their peers and colleagues. More recently Victor Moore (4), at Reading, has adapted this approach to the running of mock public inquiry sessions with undergraduate classes.

The use of simulation exercises in the teaching of land administration is not new; early pioneering work in the U.S.A. by Duke (5) and Feldt (6) was followed by the development of urban games in the United Kingdom in which the dynamics and growth of urban systems were simulated. Simplified representations of reality provided environments in which students could experience something of the real-world dilemmas of decision-making. Experience has shown that one way of ensuring both realism and manageability is to build the games around tightly defined local case studies.

### THE LANDLORD AND TENANT GAME

The Landlord and Tenant Game has been designed to highlight certain aspects of the landlord/tenant relationship, which lends itself well to a variety of simulation exercises. Role players will generally have well-defined and conflicting



RESTWELLS — The shop in Walthamstow which features in *The Landlord & Tenant Game*.

interests and objectives, and the major pieces of legislation relating to landlord and tenant negotiations provide a concise legal framework. As many teachers have found, simple role-play games may be used in an almost ad hoc manner, particularly in smaller tutorial groups, to highlight central issues in landlord and tenant negotiations. By getting one group of students to take the 'landlord's side' and another one the 'tenant's side', major issues which will arise in lease negotiations (e.g. user, review and sub-letting/assignment clauses) may be examined from different standpoints.

Clearly, there is a multiplicity of possible variations and adaptations of this simple model, in which more information and greater degrees of complexity may be introduced. The simulation format described below is but one such variation, however it does provide a basic structure which can be used by other trainers to draw out critical aspects of landlord/tenant negotiations relating to particular buildings, neighbourhoods and leases. At the same time, alternative role briefs can be moulded by game operators or participants to suit differing training requirements.

There are several possible formats for running the Landlord and Tenant Game, and the materials contained in the ISVA package provide one version only. Trainers can clearly adapt the game to suit their own needs and time constraints. The full version of the game takes about three hours to run, but by handing out material in advance, this may be lessened slightly.

## PHASE 1 INTRODUCTION

General introduction to gaming exercise.

- Basic facts on the premises, using slides and taking information from other materials in the pack, (e.g. plan of the building)
- Explain that negotiation for rent renewal has broken down and case will

go to the courts. Participants will represent three main interest groups — Landlord, Tenant and Panel of Judges ('Arbitration Team').

## PHASE 2 ROLE DEFINITION AND ASSIGNMENT

The game package includes descriptions of and badges for 13 roles representing the three major parties — the Landlord's side, the Tenant's side and the Arbitration panel. These may be assigned (randomly or selectively) at the start of the game, and two or more parallel running sessions may be run if necessary, (i.e. for 26 or 39 people).

## PHASE 3 'PUTTING THE CASE TOGETHER' PROPERTY AND LEASE EXAMINATION

In this phase, the three parties are asked to get to grips with the case itself and start to identify the key issues and formulate their major arguments. It must be made clear that the parties will have to consider the *terms of a new lease* in conjunction with the final valuation of that lease.

All three parties are issued with a copy of the *plan of the premises* and the *lease*, and additional material (ordnance survey sheets, post office directory etc.) may either be displayed or made available on request. Zoning of the premises for valuation purposes, may take place in this phase.

This phase in the game may be brought to a close by asking each party *briefly* to outline what it sees as the major issues in the case. It may be that the operator will wish to prompt by questioning the participants (individually or collectively) on what they see as the key issues, and on the method adopted for zoning of the premises.

## PHASE 4 PREPARATION OF EVIDENCE

During Phase 3, the question of

comparables will no doubt have been raised. Several sets of comparables are included in the package which may be used by all parties for evidence on value. Each party will no doubt view these comparables in a different light, and this phase may be concluded by asking the participants briefly to outline their respective positions on comparables.

## PHASE 5 THE HEARING

Once all three parties have completed their preparations, the hearing can commence. The Panel of Judges is in charge of conducting the hearing, and it is suggested that guidelines be issued to the Panel to ensure a certain order in negotiations and procedure; (if participants have the necessary experience in arbitration proceedings, such regulations may not be required at all; on the other hand, these guidelines may also be issued to Landlord and Tenant parties prior to the hearing. A guideline summary sheet is shown in Table 1).

## CONCLUDING REMARKS

The design and running of a case study simulation inevitably puts certain demands on both the instructor and participant which are not common in training courses and which are rarely evident in the lecture hall. As Vincent has said, "the teacher who uses the case study approach must shift attention from himself to the class. He must allow the pupils to explore and create yet, at the same time, he needs to provide guidance and clear overall direction through the welter of information presented in the case". (8). Experience of running these games (9), however, suggests that such extra effort is well worth while.

In a mid-career training context, the recent attention given to continuing education clearly presents trainers and educators with the challenge of providing appropriate learning packages and formats. Professionals are more aware than ever of the need to keep up with new developments, and there is no doubt that the landlord-tenant arbitration is one such area. One correspondent has recently noted that 'the level of competence and knowledge of some appointed surveyors (to act as arbitrators) is deplorable and, if ever there were an example of enforced post-qualification education (CPD), then it exists in this direction'. (10).

By running mock hearings based on the format outlined above, using specific buildings and prepared evidence, participants may experience a form of training which is anchored to real life material and has an immediacy which is readily appreciated. The roles and perspectives of individuals and agencies with different professional backgrounds and developmental functions can be exposed in a way that speeds the learning process. The case study provides a framework for interdisciplinary involvement which can promote a variety of levels and types of learning at one and the same time, and update the professional in various aspects of his work. As such, case study training can

act as a catalyst for self and mutual learning, and so play a valuable part in enhancing the general awareness and performance of the professional practitioner.

#### Table One

#### Guidelines for the Hearing in the Landlord and Tenant Game

1. Legal Representative 2 (Tenant's side) opens with a summary of the area of dispute and an introduction to the legal points which are to be the subject of submissions.
2. Surveyors Reports are exchanged. These should contain:-
  - Description of Property, including zoning.
  - Terms of existing Lease (summary).
  - Terms of Lease being requested (except rent).
  - Comparables
  - Valuation
3. Tenant gives evidence. He is cross-examined and re-examined by Legal Representatives. His evidence concerns factual detail and his own subjective opinions.
4. Surveyors 3 and 4 (Tenant's side) are called to give evidence. They are cross-examined and re-examined by Legal Representatives.
5. Landlord gives evidence. He is cross-examined and re-examined by Legal Representatives.
6. Surveyors 1 and 2 (Landlord's side) give evidence. They are cross-examined and re-examined by Legal Representatives.
7. Legal Representative 1 sums up the case for the Landlord's side.
8. Legal Representative 2 sums up the case for the Tenant's side.
9. After time for discussion, the Panel of Judges decides on all issues concerning the new lease and make a 'reasoned award'.
10. Legal Representatives consider whether any challenge can be made on a point of law.

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