

BUS 206 Milestone Two Guidelines and Rubric

Overview: Business law impacts our everyday lives, both personally and professionally. Businesses enter contracts, manufacture goods, sell services and products, and engage in employment and labor practices—activities that must all adhere to certain laws and regulations. Recognizing and evaluating legal issues is a fundamental skill that will help you navigate commercial relationships and avoid potential problems in the business world.

Prompt: Imagine yourself as a paralegal working in a law office that has been tasked with reviewing three current cases. You will review the case studies and compose a short report for each, applying your legal knowledge and understanding of the types of business organizations. In each of the three reports, you will focus on areas of law covered in this course. Case Study Two concentrates on contracts and landlord-tenant law.

Case Study Two: Sam Stevens lives in an apartment building where he has been working on his new invention, a machine that plays the sound of a barking dog to scare off potential intruders. A national chain store that sells safety products wants to sell Sam’s product exclusively. Although Sam and the chain store never signed a contract, Sam verbally told a store manager several months ago that he would ship 1,000 units.

Sam comes home from work one day and finds two letters in his mailbox. One is an eviction notice from his landlord, Quinn, telling him he has to be out of the apartment in 30 days because his barking device has been bothering the other tenants. It also states that Sam was not allowed to conduct a business from his apartment. Sam is angry because he specifically told Quinn that he was working on a new invention, and Quinn had wished him luck. The second letter is from the chain store, demanding that Sam deliver the promised 1,000 units immediately.

Specifically, the following **critical elements** must be addressed:

- A. Analyze the elements of this case to determine whether a **valid contract** exists between Sam and the chain store. Support your response by identifying the elements of a valid contract in your analysis.
- B. Assume there is not a valid contract between Sam and the chain store. Analyze the elements of a **quasi-contract** and a promissory estoppel to determine whether the chain store would prevail on a claim of either. Why or why not? Include support for your analysis.
- C. Identify the **rights and obligations** of both the landlord and tenant under a standard residential lease agreement.
- D. Based upon those rights and obligations, does Sam’s landlord have **grounds to evict**? Why or why not?
- E. Further, what **defenses** might Sam raise to an eviction action? Support your response.

Guidelines for Submission: Your submission should be a three- to six-page Word document with double spacing, 12-point Times New Roman font, and one-inch margins. Citations should be formatted according to APA style.

Rubric

Critical Elements	Exemplary (100%)	Proficient (85%)	Needs Improvement (55%)	Not Evident (0%)	Value
Case Study Two: Valid Contract	Meets “Proficient” criteria, and analysis is well qualified with concrete examples and is well supported and plausible	Analyzes the elements of the case to determine whether a valid contract exists between Sam and the chain store and supports response by identifying the elements of a valid contract	Analyzes the elements of the case to determine whether a valid contract exists between Sam and the chain store, but analysis is incorrect or does not support response by identifying the elements of a valid contract	Does not analyze the elements of the case to determine whether a valid contract exists between Sam and the chain store	18
Case Study Two: Quasi-Contract	Meets “Proficient” criteria and cites scholarly research to substantiate claims	Analyzes the elements of a quasi-contract and a promissory estoppel to determine whether the chain store would prevail on a claim of either, logically explains why or why not, and includes support for analysis	Analyzes the elements of a quasi-contract and a promissory estoppel to determine whether the chain store would prevail on a claim of either and explains why or why not, but the explanation is cursory and/or illogical or does not include support for analysis	Does not analyze the elements of a quasi-contract and a promissory estoppel to determine whether the chain store would prevail on a claim of either	18
Case Study Two: Rights and Obligations	Meets “Proficient” criteria and is accurate in effectively discussing nuanced rights and obligations in the relationship between the landlord and tenant	Correctly determines the rights and obligations of both the landlord and tenant under a standard residential lease agreement	Determines the rights and obligations of the landlord or the tenant under a standard residential lease agreement (but not both) or is incorrect in which rights and obligations apply	Does not determine the rights and obligations of both the landlord and tenant under a standard residential lease agreement	18
Case Study Two: Grounds to Evict	Meets “Proficient” criteria and provides a thorough, step-by-step analysis with specific supporting evidence applied to each element of the relevant legal test	Correctly determines whether Sam’s landlord has grounds to evict based upon the previously stated rights and obligations	Determines whether Sam’s landlord has grounds to evict but does not base determination on the previously stated rights and obligations or is incorrect in determination	Does not determine whether Sam’s landlord has grounds to evict	18
Case Study Two: Defenses	Meets “Proficient” criteria and cites scholarly research to substantiate determination	Accurately determines what defenses Sam might raise to an eviction action and effectively supports the response	Determines what defenses Sam might raise to an eviction action but is not accurate in determination or support is ineffective	Does not determine what defenses Sam might raise to an eviction action	18
Articulation of Response	Submission is free of errors related to citations, grammar, spelling, syntax, and organization and is presented in a professional and easy to read format	Submission has no major errors related to citations, grammar, spelling, syntax, or organization	Submission has major errors related to citations, grammar, spelling, syntax, or organization that negatively impact readability and articulation of main ideas	Submission has critical errors related to citations, grammar, spelling, syntax, or organization that prevent understanding of ideas	10
Earned Total					100%