The exam results for this cohort were within the expected parameters of performance, although the performance this semester was not as strong as the last few semesters. Question 1 was directly related to Torrens priority issues, particularly in relation to s 43A of the Real Property Act. Overall, performance was disappointing as many students did poorly at applying the correct priority rules, even after being told that the question would be based on these issues and were given a mid-semester assessment which prepared them for this question.

Question 2 was concerned with co-ownership particularly the issues of equitable division of assets and the nature of co-ownership as discussed in the case of Delehunt v Carmody. The first part of the question was done well but the second was missed by many students.

Question 3 was concerned with easements and covenants. There was some confusion between the two as many students attempted to deal with the restrictive covenant component as an easement. Moreover the covenant question was focused on the issue of the passing of benefit, whereas most students discussed the passing of the burden. The easement question was based on the case of McGrath v Campbell but very few students discussed this case.

Question 4 was concerned with mortgages, the exercise of the power of sale and the problems of s 111A. Most students did this question well but many did not discuss s 111A at all or in any detail.