



### **Problem Task: Uni Fever**

After the experience day, Ellie, a 17-year-old prospective student, decides that the ELS program is the right fit for her and in the excitement of it all, immediately decides to start searching for accommodation. Luckily, one of her friends, Fred, that is a couple years older than her is about to finish his bachelor studies in Maastricht and let go of his beautiful studio in the city center for 600€ per month. Fred therefore informs his landlord about Ellie potentially taking over the apartment, and conveniently, the same afternoon the landlord suggests a viewing.

After the viewing, Ellie is thrilled and immediately falls in love with the apartment. The landlord tells her that he has a copy of the contract with him, and that if she is certain she will be moving in on July 1<sup>st</sup>, the day after Fred moves out, they could even sign the contract that same day. Ellie cannot believe her luck and doesn't hesitate as she knows how hard it can be to find accommodation in Maastricht and sits down with the landlord to go through the contract and sign it.

Later that day, Ellie goes home to her parents and tells them all about the exciting day that she had. She informs her parents that she's decided that Maastricht University is the correct fit for her and that she's even found accommodation for which she's already signed the contract.

Her parents get a little nervous about their daughter's rushed decisions and ask you whether the renting contract could still be invalidated in the event that Ellie changes her mind.

- (a) Explain to the parents the concept of legal capacity
- (b) Explain what the law needs to take into consideration when limiting who has legal capacity
- (c) Advise the parents whether in this case, the contract between the landlord and Ellie could be invalidated. Motivate your answer according to German and Dutch law
- (d) Can you think of 2 examples of contracts where a judge would rule in favor of invalidating the contract under Dutch law?
- (e) According to German and Dutch law, how would your answer differ if Ellie was an 18-year-old who had one too many alcoholic beverages in the time leading up to the conclusion of the contract?



### **Problem Task: Crazy Granny**

Ellie's grandmother, Esther, has been suffering from dementia for many years now and it is not uncommon for her to have 2-3 episodes on regular days, and 4-5 on more stressful or

emotionally charged days. Because of that, Esther has been living with her son, Ellie's father in their family home.

Esther, after hearing the discussion Ellie's parents had with their daughter regarding the apartment she decided to rent in Maastricht, decides to go out for a walk to the local supermarket where she buys some of Ellie's favorite comfort food to try and cheer her up. On her way home, a car almost runs her over and one of her neighbors, having witnessed the situation, comes to check on her. Esther is in shock but manages to stay coherent to her neighbor who ends up complementing her on her necklace. Esther is flattered and tells her that she would be happy to sell it to her forgetting that this is one of the family's most valuable heirlooms. The neighbor is pleased although a bit surprised by Esther's offer and accepts to buy it from her for 60€.

(a) Analyze the validity of both transactions and explain whether they could be invalidated according to German law and Dutch law.