

Transferring Rights & Duties

Read each of the contractual scenarios below and indicate what your duty and right is under each. Tell whether your duty can be delegated and your right can be assigned.

Contract A			
You are an excellent web page designer. You promise to design and create a web page for a local business. They promise to pay you \$5,000 for this service.			
What's your DUTY?	Can you DELEGATE it?	What's your RIGHT?	Can you ASSIGN it?
If you answered "NO" above, why do you think so?			

Contract B			
You just made a lot of money setting up someone's web page. A friend needs to borrow some money, so you promise to lend them \$1,000 in exchange for their promise to pay you \$100 per month for 10 months.			
What's your DUTY?	Can you DELEGATE it?	What's your RIGHT?	Can you ASSIGN it?
If you answered "NO" above, why do you think so?			

Contract C			
Your neighbors have some really bratty kids. They offer to pay you \$20/hour to baby sit their children for an evening.			
What's your DUTY?	Can you DELEGATE it?	What's your RIGHT?	Can you ASSIGN it?
If you answered "NO" above, why do you think so?			

Contract D			
You aren't doing too well in your Business Law class, so you offer to mow your teacher's yard in exchange for his tutoring services.			
What's your DUTY?	Can you DELEGATE it?	What's your RIGHT?	Can you ASSIGN it?
If you answered "NO" above, why do you think so?			

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Read and answer each situation below regarding rights and duties.

John hired a general contractor to build his new home. The general contractor delegated most of the work to four independent contractors. Is this a legal delegation of duties? Is the general contractor responsible for the subcontractors' work? Explain your answer.

Mary bought a new sailboat from Sunset Marina for \$78,000. She made a down payment of \$8,000 and arranged to make equal payments of the remaining balance over a period of 36 months. Sunset Marina sold Mary's contract to a finance company and notified Mary of the transfer. Is Mary obligated to make payments to the finance company? Explain.

If in the above situation, Mary defaults (doesn't pay) on her loan, who has the legal right to sue her – Sunset Marina or the finance company? Can that party assign the rights to collect on her debt to another party (a collection agency)?