

Module Seven – Bailments and Liens

Question 16. Dan Diligent has an empty lot he offers for parking cars. The lot has no fence or gate. Customers park in a numbered spot and give their car key to Dan, who is always present in a covered booth when the lot is open for paid parking. Before accepting the car key, Dan requires the customer to pay a minimum parking charge of \$20 for the first hour (or less). When the customer departs, Dan requires additional payment for the additional time before returning the key. Dan places each key into a slot on shelves numbered to correspond to the parking spots. Dan's booth is located on the lot in a location where Dan always observes all of the lot. Dan also has several other systems to monitor what might be ongoing on the lot, including video cameras that display on screens in Dan's booth. Paul Pontiac parks in spot 30, but when he returns three hours later and receives the keys from Dan, Paul goes to spot 30 and does not find his car. Paul's car is never found. Paul sues for conversion of his car. Chose the most correct answer.

- a.* Paul wins due to the bailment relationship between Dan and Paul.
- b.* Dan wins because he did not need to watch his lot, but he did so anyway.
- c.* Paul loses because any bailment relationship created between him and Dan does not include automobile theft liability.
- d.* Dan loses because he took custody and control of Paul's car.
- e.* Two and only two of the selections *a* through *d* are accurate characterizations.

Module Seven – Bailments and Liens – Answer Key

Question Number	Correct Answer
16	e (a and d are correct)