

18 GCA BUSINESS STRUCTURE & FUNCTION
CH. 50 HIRING IN GENERAL

PART 5
HIRING

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CHAPTER 50
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§ 50101. What is Hiring.

Hiring is a contract by which one gives to another the temporary use possession and use of property, other than money, for reward, and the latter agrees to return the same to the former at a future time.

SOURCE: CC § 1925.

§ 50102. Products of Thing.

The products of a thing hired, during the hiring, belong to the hirer.

SOURCE: CC § 1926.

§ 50103. Quiet Possession.

An agreement to let upon hire binds the latter to secure to the hirer the quiet possession of the thing hired during the term of the hiring, against all persons lawfully claiming the same.

SOURCE: CC § 1927.

§ 50104. Hirer's Degree of Care.

The hirer of a thing must use ordinary care for its preservation in safety and in good condition.

SOURCE: CC § 1928.

§ 50105. Hirer to Repair Injuries.

The hirer of a thing must repair all deteriorations or injuries thereto occasioned by his want of ordinary care.

SOURCE: CC § 1929.

§ 50106. Thing let for Particular Purpose.

When a thing is let for a particular purpose the hirer must not use it for any other purpose, and if he does, he is liable to the letter for all damages resulting from such use, or the letter may treat the contract as thereby rescinded.

SOURCE: CC § 1930.

§ 50107. Letter may Terminate Hiring.

The letter of a thing may terminate the hiring and reclaim the thing before the end of the term agreed upon:

1. When the hirer uses or permits a use of the thing hired in a manner contrary to the agreement of the parties; or
2. When the hirer does not, within a reasonable time after request, make such repairs as he is bound to make.

SOURCE: CC § 1931.

§ 50108. When Hirer may Terminate.

The hirer of a thing may terminate the hiring before the end of the term agreed upon:

1. When the letter does not, within a reasonable time after request, fulfill his obligations, if any, as to placing and securing the hirer in the quiet possession of the thing hired, or putting it into good condition; or
2. When the greater part of the thing hired, or that part which was and which the letter had at the time of the hiring reason to believe was the material inducement to the hirer to enter into the contract, perished from any other cause than the want of ordinary care of the hirer.

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SOURCE: CC § 1932.

§ 50109. When Hiring Terminates.

The hiring of a thing terminates:

1. At the end of the term agreed upon;
2. By the mutual consent of the parties;
3. By the hirer acquiring a title to the thing hired superior to that of the letter; or
4. By the destruction of the thing hired.

SOURCE: CC § 1934.

§ 50110. Termination by Death, etc.

If the hiring of a thing is terminable at the pleasure of one of the parties, it is terminated by notice to the other of his death or incapacity to contract. In other cases it is not terminated thereby.

SOURCE: CC § 1934.

§ 50111. Apportionment of Hire.

When the hiring of a thing is terminated before the time originally agreed upon, the hirer must pay the due proportion of the hire for such use as he has actually made of the thing, unless such use is merely nominal, and of no benefit to him.

SOURCE: CC § 1935.

NOTE: No 1970 Civil Code §§ 1936-1940 existed.

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