PROPERTY
Spring 2025
Credits: 4
Time: *9:00a-10:30a-TTH 10:30a-12:00p-W*
Location: TBA
Mode of Instruction: face-to-face course

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****Students are responsible for reviewing the material in this syllabus prior to our first class, so that we can begin our first class with a few brief introductory comments and then proceed with our assigned casebook reading. If you have any questions about anything in this syllabus, please email me.*

Overview and Learning Objectives: This course covers the doctrines, underpinnings and policy of property law. We will examine what makes property rights distinctive; how property rights are created, transferred, and destroyed; and what the rights and responsibilities of property owners are. *The objectives of the course are: (1) to gain a foundation in the substantive law of property; (2) to recognize the policy implications and legal ethics questions related to the subject matter; and (3) to provide a foundation for a variety of upper-division courses, including intellectual property, real estate transactions, environmental law, land use law, and trusts and estates.* Classes will be a combination of on-call discussions, lectures, small group exercises, and other learning modalities.

Syllabus Changes: Please note that the instructor may need to make modifications to the course syllabus to accommodate the pace of class and may do so at any time. Modifications to the course syllabus may also be needed due to other unforeseen circumstances (such as a global pandemic, or weather-related emergency, or instructor illness). Such modifications may include changes to the mode of instruction or assigned material for the course. Notice of such changes will be announced in as timely a manner as possible by announcement in class, via email, and/or by posting on the course website. **Students should always check the course website for the most up-to-date version of the syllabus, and be sure to always reference the most current version of the syllabus for assignments, not an earlier version you may have printed out at an earlier point in the semester. The most current version of the syllabus will always be posted on the course website and updated as needed (with a notification sent to students by email or Canvas of any updates).**

Instructional Mode (IM): This course is designated as a face-to-face course, which means classes are in person by default, but designated classes may occasionally be held as remote classes via Zoom to accommodate scheduling needs or other unforeseen circumstances. Students will be notified in advance of any classes that will be held remotely and a Zoom link will be posted on Canvas at the start of the semester that is the Zoom link that will be used for any such classes.

- This Zoom link [to be provided at start of semester] will be used for any class that is designated to be held remotely (this information is will also posted on Canvas).

Schedule: By virtue of holding class until 11:50 a.m. on Wednesdays, and until 10:20 a.m. on Tuesdays and Thursdays, we gain several classes worth of lecture time over the course of the semester. This allows us to avoid having to hold make-up classes for those class days which have been cancelled in advance *(detailed schedule will be provided in syllabus at start of semester showing for specified pre-scheduled dates when there will be no class).* If additional classes must be cancelled because of unforeseen circumstances, a make-up class will be scheduled, consistent with the Law Center's policies.

Class materials: Students are responsible for all required assignments listed on the syllabus, whether in the casebook, the required supplement book, or other required readings/materials posted on the course website (i.e., Canvas - see below for detailed information under "Course Technology") as required supplemental reading.
****Note: The required casebook and the required supplement have multiple editions which are not interchangeable, so please ensure you procure a hard copy (NOT digital-only) of the specific edition noted on the syllabus below.*

1. **Required Casebook**: The required text is Dukeminier, Krier, et al., Property Concise Edition (3rd ed.). The casebook (new or used) is available for both purchase and rental from the publisher and third parties. Students should always have the casebook during class unless otherwise instructed. ***As noted below, e-books are an electronic source and thus are not permitted during the final exam; therefore, students should ensure that they do NOT purchase an e-book/digital only version of the casebook or the required supplement book***.
2. **Required Supplement Book:** Edwards, Estates in Land and Future Interests: A Step-by-step Guide (6th ed.). Students should bring the required supplement book with them to the classes for which material has been assigned from it.
3. **Required supplemental readings/assigned materials**: Additional cases and other materials are assigned from time to time and will be posted under the "Supplemental Required Reading" tab on the course website.
4. **PowerPoint slides**: There are PowerPoint presentations corresponding to each chapter we cover in the casebook/required supplement, which we will use to guide our live class sessions. (The Powerpoints are organized by chapters in the casebook, so the same set of Powerpoints may be utilized for several classes, since we spend multiple classes working through each chapter.) All PowerPoints are posted in advance of class on Canvas in the "Powerpoints" tab.
5. **Handouts:** Occasionally, handouts on particular topics will be used during class or provided for students as reference after class. Any such handouts will be posted on Canvas under the "Handouts" tab.
6. **Optional Materials:** The syllabus may list "optional materials" from time to time. These are entirely optional materials: we will not cover these materials in class and students will not be tested on them. The optional materials vary, and include materials such as full-length books, movies, newspaper articles, Youtube clips, and a variety of other sources. Links to some of the sources are posted on Canvas (such as podcasts, Youtube clips, etc.); others are simply listed for student reference (i.e., full length books or movies). The optional materials are offered to illustrate additional points of view or offer a more in-depth look into property law issues we cover, and they are just a sampling of the multitude of sources related to these topics. I am happy to discuss any particular optional material one-on-one outside of class or during office hours, but as noted above, optional materials will not be part of the class discussion and will not be tested.

Reserve books at UHLC Library: A hard copy of the required casebook for the course is available on reserve at the UHLC Library. The library staff have also worked diligently put in place a system to make electronic versions of reserve materials available when possible on short-term reserve loans to students. Students with questions about library resources and availability of books on reserve should contact the library.

Course Assessments:

Final Exam: The final grade will be primarily based on a **three-hour, in-class**, limited open book exam. The exam will be a combination of multiple choice (75%) and short-answer and/or essay questions (25%).

- **Students must take the final exam in person:** This means students must be physically present in the UHLC building at the date/time and room location that is assigned by UH administration for the exam, unless the student has obtained a prior accommodation from the Justin Dart, Jr. Student Accessibility Center or obtained permission for other arrangements from UHLC Office of Student Services **(do not discuss any such arrangements with me, as it may compromise anonymity)**.
- "Limited open book exam" means students are permitted to bring the following permitted materials ONLY into the exam – **no other materials** are permitted. Permitted materials MUST be in **hard copy/printed-out in advance** (not electronic versions, since UHLC software locks down student laptops). Permitted material is defined as the following ONLY:
  (1) the Dukeminier casebook and Edwards textbook;
  (2) any materials posted on the Class Canvas page; and
  (3) notes or outlines prepared by the student alone or with classmates.
- **No** hornbooks, treatises, or commercial outlines are permitted in the exam (although students are free to use those sources in advance to prepare their outline or notes, as well as free to use generative AI in preparing your notes or outline in advance of the exam, consistent with the course AI policy described below).
- To reiterate, **NO** electronic sources can be consulted during the exam (meaning any of the permitted materials listed above that you wish to access must be printed out in HARD COPY – students CANNOT access any of these materials electronically). **E-books are an electronic source and thus are not permitted during the exam; therefore, students should ensure that they do not purchase an e-book only version of the casebook or required supplement, since those are NOT permitted to be used during the final exam.**

Formative Assessments:

- **Midterm**: To aid students in exam preparation, there will be a mandatory, *ungraded* mid-semester assessment in early March. Additional information about the mid-semester assessment will be provided prior that time.
- **Weekly review quizzes**: In addition, each week, there is a mandatory, *ungraded* weekly review quiz posted on Canvas under the "Weekly Review Quiz" tab due every week at 6 pm on Fridays (via Canvas submittal portal). The quizzes are designed to take no more than 15 minutes and are offered to provide a formative assessment opportunity for students to regularly text their knowledge of assigned material which we have covered that week. **Select questions on the weekly review quizzes are actual past exam questions, so these also provide students with practice for the final exam.** The quizzes will be primarily multiple choice questions (including actual past exam multiple choice questions, which are modeled on the Bar exam multiple choice questions), with occasional short-answer questions.

- The weekly review quizzes are mandatory. Although mandatory, quizzes are graded for good faith completion (not on the number of correct answers). Failure to consistently complete quizzes in good faith and on time will be considered a lack of preparation and result in a deduction to your final grade.
- Students should access and submit the quiz via Canvas. Quiz answers (along with brief explanations) are provided automatically on Canvas after students submit the quiz.
- **The weekly review quizzes are due at 6 pm every Friday.**
- Due to time constraints, we will not discuss every quiz question during class, but students should be prepared to discuss the quiz questions as part of our in-class discussions (and can always sign up for office hours if you have questions about anything on the quizzes we don't address in class).

Participation:

- Students are expected to be prepared for every class, which includes: presenting cases; responding to prompts/questions that were raised in pre-recorded lectures or remote learning assignments or during our in-class discussions; analyzing material in the notes and problems in the casebook; analyzing assigned problems in the required supplement book or required supplemental materials (if assigned). *Because of time limitations, we will not always cover every problem or note in the assigned materials during our classes, but students are responsible for all assigned materials for purposes of the exam. Thus, if a student has questions about assigned material that we did not have time to cover in class, please either raise the question during class (time permitting) or sign up for office hours to go over your question.*
- **On-call system:** For purposes of class discussion, we utilize an on-call system. Students will be divided into assigned on-call groups. **The groups are assigned/divided alphabetically by last name as shown below; the on-call group designations will be provided to students via email announcement prior to the start of the semester once the class roster is finalized by the UHLC administration**. Each on-call group is assigned specific days on call; typically 6-12 students from the designated on-call group will be called on during each class period (I move through each on-call group alphabetically by last name and go down the list until all students in that group have been on-call (which may take more than one class period), then begin again at the start of that group). Students who are not on call are always welcome to volunteer or ask questions. See "pass system" below for how to opt out of being on-call.
  - **Tuesday:** On-call group #1 (last names A - [tbd once class roster is finalized)
  - **Wednesday:** Alternates between on-call group #1 and #2 every other week (see full schedule of assignments contained in the full syllabus which will be posted on Canvas at start of the semester)
  - **Thursday:** On-call group #2 (last names [tbd once class roster is finalized] - Z)
- **Pass system:** If you are unprepared to be called on for a class session in which you are in the on-call group, you may utilize a "pass" **up to three (3) times** over the course of the semester and it will not affect the participation component of your grade. To utilize a pass, **you must email me by 8 p.m. the evening before the class you wish to utilize a pass in**. Students are responsible for keeping track of their passes; **if you exceed 3 passes, it will be considered a lack of preparation and result in a deduction to your final grade**.
- **Course Structure**: A schedule of topics to be covered is provided at the end of this document (an updated version will be posted on Canvas prior to start of semester with precise breakdown of assignments by page number). This schedule is subject to adjustment to account for the pace of

class and unforeseen circumstances (i.e., professor illness, extreme weather event, the evolving nature of the global pandemic, etc.). *If there is any changes to the schedule, students will be given advance notice of changes by email and/or announcement posted to the course website. Students should regularly check the updated version of this document (link posted on Canvas under "Syllabus" tab) for the most current version of the syllabus schedule.*

- **Leftover material***:* If we do not finish covering the assigned material for a particular class, we may start the next class with the leftover material before moving onto the current class's assignment; the on-call group of students for the current day should be prepared to discuss the leftover material from the previous class if such a situation arises. Alternately, depending on the complexity of leftover material and timing constraints, I may notify students that a short supplemental recorded lecture wrapping up the material has been posted on the course website, which will conclude our review of the material and which students will be responsible for watching/listening to as part of the assigned materials.
- **Participation component to final grades***:* Final grades may be modified up or down by one-third of a letter grade (i.e., from a B to a B+ or A to A-) based on class participation. The decision to lower a grade for participation is at my discretion and may result from exceeding the pass limit, failing to consistently complete quizzes or other assignments in good faith and on time, or from a combination of unpreparedness or inattention in class, inappropriate use of technology, or repeated lateness and absences. In exceptional circumstances, students may have their grade raised by one-third of a letter grade.

Attendance: Attendance for class will be taken through an online sign-in process using Google Forms: [a link will provided in the full syllabus posted at the start of the semester, and the link will also be posted on Canvas under "announcements" tab and this same link to the same Google form will be used for the entire semester]. At the start of each class session, I will assign a passcode/password for the day. The attendance sheet will be closed 10 minutes after class ends; if you attend class but miss signing in or make a mistake in doing so, please notify my staff assistant, Amanda Parker, (amparker@central.uh.edu) promptly. You do **not** need to email me in advance if you will be absent. UHLC policy requires students to attend at least 80% of class meetings; excessive absences (absent extenuating circumstances) will be considered a lack of preparation and result in a deduction to your final grade.

Office Hours: Office hours will be held [office hours schedule will be provided in updated syllabus posted for studens on Canvas at start of semester]

Lateness: Students entering the classroom late (particularly for face-to-face classes) can be distracting to the instructor as well as to your classmates. Out of respect for everyone, please make every effort to be on time for class. If there is an exceptional situation where an outside commitment or emergency requires you to arrive late, please let me know if possible. Unless you have received permission from me (either before or after class), students are required to attend the entire class session in order to certify their attendance on the Google form.

Tutors: The tutor(s) will provide students with their contact info and information about office hours during the first week of class via email and/or announcement on Canvas.

Course Technology:

- As noted above under the instructional mode, occasional classes may be designated as virtual/remote to accommodate scheduling needs or unforeseen circumstances. Students will be notified in advance of any classes that will be held remotely and a Zoom link will be posted on Canvas at the start of the semester that is the Zoom link that will be used for any such classes. *A "Policies and Protocols for Remote Class Sessions" will be posted on Canvas and contains important information regarding technology and policies for class protocols and policies on Zoom that students should review in advance of any class date that is designated as remote*.
- **Canvas**: The course website is hosted on the **UH Canvas** system. The course website is where I will post all announcements relating to the class, as well as the links to all pre-recorded class sessions, all required supplemental readings, weekly mandatory quizzes, class handouts, Powerpoints, and the like. Please access the class website early in the semester and regularly check it.
- **UH E-Mail:** Email communications related to this course will be sent to your Cougarnet email which each University of Houston student receives (which is also the email that links to the Canvas system). Please regularly check and use your Cougarnet email for communications related to this course. Faculty use the Cougarnet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your Cougarnet email, login to your Microsoft 365 account with your Cougarnet credentials. Visit University Information Technology (UIT) for instructions on how to connect your Cougarnet e-mail on a mobile device
- **Webcams:** For any class being held remotely (or for students participating remotely in a particular class), access to a webcam is required. Webcams must be turned on unless a student has notified me in advance of extenuating circumstances that necessitate having their webcam off and received permission to have their webcam off.
- **Video recording of classes:** Per UHLC policy (below), all class sessions will be recorded automatically via in-room Mediasite system. Recordings of every class session will be available via Mediasite website (link to the UH website posted on Canvas; UH website requires student log in with UH credentials). If there is ever any technical issue with Mediasite class recordings, and a backup Zoom recording of class is available, I will post that on Canvas (under the "Class Recordings" tab) once it has been generated. The recordings will remain available on Mediasite and/or posted on Canvas for the entire semester for students to review at a later if they choose to. To promote accessibility for all users, the Zoom cloud recording includes an audio transcript that captions the audio of the session.
- **UHLC recording policy:** The Law Center will record class sessions with audio and video for the sole and limited educational purpose of allowing students to stream the recorded sessions for review or to enable students who missed a class to hear the class presentation. Any recordings created will be deleted and destroyed shortly after the final exam for the class. There is a chance that your contributions to class discussion, whether voluntary or while on call, may be included in the recording. Your continued registration in this class indicates your acquiescence to any such incidental recording for the purposes described above.
- **Recording of Class:** Per UH policy, Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform.

Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

- **Use of Technology**: Computers are required for remote classes and permitted for in-person classes, but should only be used for note-taking purposes and connecting to classes remotely. This prohibits computer use for Internet surfing, chat rooms, e-mail, or other uses not related to note taking for class. Violations of this policy will be considered a lack of preparation and result in a deduction to final grades. Please ensure all other electronic devices (cell phones, etc.) are in silent mode or turned off during class.
- **Remote presence:** This course is designated as a face-to-face course, and as such, students are expected to be physically present in the classroom for all class sessions (unless, as noted above, a specific class date has been designated on the syllabus or via email/Canvas announcement in advance as a remote class session to be held via Zoom for the entire class). Students should thus **not** rely on an expectation that remote presence will be available for in-person classes; remote access will only be on class dates specifically designated as remote classes to be held via Zoom (for the entire class). As noted above, recordings of all in-person classes are available through the UH Mediasite system after each class, so if you are absent for a class, you should review the class recording as soon as you are able to (and sign up for office hours if you have any questions about material that you missed).
- **Policy regarding AI generated text:**

    - **General.** Generative artificial intelligence is a form of machine learning that creates new and original output based on the data it has been trained on or has access to, employing algorithms to generate content in response to prompts. Examples of the technology include what are known as generative "large language models" (LLMs). Two well-known LLM implementations are ChatGPT and Claude. LLM output can include text, images, music, code, and more. This syllabus policy covers the textual output of generative LLMs (AI-Generated Text)—which can include computer code or programs and human-language content. Because AI-Generated Text can often mimic human intelligence, it could potentially be used as a substitute for a student's own work product. Such use is potentially problematic to the extent that it becomes a substitute for internalized student understanding of the material or creates a dependency on AI-Generated Text, which may be strictly prohibited in settings that include the bar examination.
    - **Prohibition.** Subject to the exceptions immediately below, your continuing enrollment in this course constitutes your pledge not to generate or to use any AI-Generated Text—whether from yourself or others—in relation to any assessment in this course. The term "assessment" means any graded or ungraded work product for this course that is submitted to the instructor, presented in a class session, or used in an oral or written graded assessment for this course, as well as the final exam.
    - **Exceptions:** The following AI-Generated Text uses are exceptions to the preceding prohibition. The exceptions' intent is to allow the generation and use of AI-Generated Text for specific, narrowly defined activities related to this course:
        - You may generate and use AI-Generated Text for class preparation, although you must disclose the full extent of that use *if your professor asks*.

- You may generate and use AI-Generated Text for study supplements or hypotheticals to aid with general understanding of course content and/or exam preparation. This could take different forms that include creating examples or explanations of a concept, generation of diagrams and flow charts, "gamification" of course content, flash cards for study, or practice questions and answers.
- You may generate and use AI-Generated Text in preparing an outline or summary material that summarizes the course content.
- You may use AI-Generated language translation.
- If applicable, you may use AI-Generated Text to check your originally drafted text for any take-home assignments (if applicable in the course) for misspellings, grammar and punctuation errors, strength and clarity of prose, verbosity, effective transitional language and thesis sentences, word choice, excessive passive voice, and similar things.
- Students will be notified by the professor if there are any other exceptions during the course of the semester.

Reasonable Academic Adjustments/Auxiliary Aids: The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: https://uh.edu/accessibility/ calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

Chosen Names/Preferred Pronouns: I use first names when calling on students and I will honor requests to use alternate/preferred names or gender pronouns. If you wish me to do so, please advise me of your preference early in the semester so that I may make appropriate changes to my records.

Resources for Online Learning: The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (https://uh.edu/power-on/learning/). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

Discrimination and Sexual Misconduct Policy: The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource. For more information, please refer to the University system's Anti-Discrimination Policy SAM

01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:
http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php
http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d7.pdf (antidiscrimination)
http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d8.pdf (sexual misconduct)

Title IX/Sexual Misconduct: Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/.

Inclusion. At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed. Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understanding of you and your colleagues. I encourage you to speak up and to share your views, but also understand that you are doing so in a learning environment in which we're all expected to engage respectfully and with regard to the dignity of all others. If you feel like your class performance is impacted by your experiences inside or outside of class, please reach out to me. If you feel more comfortable speaking with someone besides me, the Office of Student Affairs (OSA) is also an excellent resource.

Mental Health and Wellness Resources. The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed. The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment. The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being. Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org. Other Support Services: Law school can be a challenging experience, and on top of that, we are emerging from a global health crisis. In addition to the resources above, there are other resources on campus to help. If you find yourself food insecure, housing insecure, or in need of mental health or other services, the University has other free resources for students available here: https://www.uh.edu/dsaes/coogscare/. The Cougar Cupboard provides free groceries for all students, with no requirements. More information is available on their website: https://uh.edu/dsa/cougarcupboard/.

Security Escorts and Cougar Rides: UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please

call 713-743-3333. Arrangements may be made for special needs. Parking and Transportation Services also offers a late-night, on-demand shuttle service called "Cougar Ride" that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at https://uh.edu/af-university-services/parking/cougar-ride/.

Honor Code: The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Outline of Schedule of Assignments

Course Structure: Below is an outline of the topics to be covered during the semester (an detailed schedule of assignments in the syllabus that will be posted on Canvas at the start of semester with precise breakdown of assignments by page number). Please note that the schedule is subject to adjustment to account for the pace of class and unforeseen circumstances (i.e., professor illness, extreme weather event, global pandemic, etc.). Students should always check the course website for the most up-to-date version of the syllabus. If there are any changes to the schedule, students will be given notice of any changes to the schedule by announcement in class, via email, or by posting on the course website.

First Day Assignment: Dukeminier, pgs. 1-22 (Skip notes 5 and 6 on the top of pg. 22, which are not assigned; however, review Problems 1 and 2 on the bottom of pg. 22, which are assigned)

Topics to be Covered

Part I – Creation and Allocation of Property Rights

- Acquisition by Discovery
- Acquisition by Capture
- Theories of Property
- Constituting Ownership - The Bundle of Rights
- The Public Trust Doctrine
- Acquisition by Creation
- Subsequent Possession: The Law of Finders
- Subsequent Possession: Adverse Possession
- Subsequent Possession: The Law of Gifts

Part II – The System of Estates

- Possessory Estates and Future Interests (multiple classes) (Edwards book required)

Part III – Concurrent ownership

- Joint Tenants, Tenants in Common and Tenancy by the Entirety
- Relations among Concurrent owners
- Marital Interests

Part IV – Leaseholds: Landlord/Tenant Law

- Leasehold estates
- The selection of tenants
- Subleases and Assignments
- Tenant Default
- Landlord Duties

Part V – Land Transactions

- The Contract of Sale
- The Deed
- Financing Real Estate Transactions
- Title Assurance and the Recording System

Part VI – Land Use Controls

- Judicial Land Use Controls: Nuisance Law
- Private Land Use Controls: Introduction to Servitudes
- Easements
- Covenants Running with the Land – Real Covenants and Equitable Servitude
- Legislative Land Use Controls – Zoning
- The 5th Amendment: Eminent Domain and Regulatory (Implicit) Takings