

UNIVERSITY OF HOUSTON LAW CENTER
Property Law 5397 (20626) – Spring 2026
DRAFT REV

Instructor: Dr. David D. Schein, MBA, JD, Ph.D.

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Phone: 713-880-9563

January 19-May 1, 2026
FF: Tu & Th 9:00-10:15 AM
Classroom: TBA
Enrollment Limited to Foreign LLM Candidates

Spring 2026 Office Hours:

- Tuesday: 10:15 – 11:00 AM – In person following the class
 - Thursday: 10:15 -- 11:00 AM – In person following the class
- Other times by appointment via Zoom or phone.

Textbook:

This is an open-source textbook that you can download for free to your computer. This will be the principal text for the course. WWW.OPENSOURCEPROPERTY.ORG

AUTHOR: JEREMY SHEFF BUILD DATE: JANUARY 1, 2024:

https://www.dropbox.com/scl/fi/aumr7z212m5r15rgb3fru/OSP_FullBuild_Sheff_2024_01_01.pdf?rlkey=pvgnrzhdyzcnob8r16j8knt8o&e=1&dl=0

Course Description

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 powers and duties of property owners are.

Course Objectives

By the end of this course, you will be able to:

- understand and identify overarching property law principles, theories, and policies;
- identify and consider ethical and professional questions raised by the course materials;
- have knowledge and understanding of substantive property law;
- understand, identify, and articulate policy arguments commonly used in property law;
- articulate and express a well-informed opinion regarding property-related issues; and
- develop skills in legal analysis, reasoning, research; problem-solving; and written and oral communication related to property law.

Class Design:

Class format uses an adult learning model. It is highly interactive and participatory with its success, depth and breadth contingent upon student willingness to contribute. In each class, we will discuss the readings. The focus of this class is on conversation and discussion at a level that promotes critical thinking and analysis of property law.

Attendance

Attendance is required for this face-to-face class. Please arrive on time. Any student missing more than eight (8) classes will be dropped from the course and reported to UHLC administration. Attendance will be taken at every class. If you will need to miss a class, please email me in advance. You do not need to state a reason. Each absence will count toward the maximum of eight (8) missed classes.

NOTE: Classes will not meet Spring Break Week, March 16 through 20, 2026.

Grading:

There will be a Mid-Term and a Final Exam. The midterm and the final will be closed-book exams. The Mid-Term will be multiple-choice. The final exam will be essay and multiple-choice questions. The following assignments will comprise the student's grade:

Midterm Examination	25%
Final Examination	<u>75%</u>
Total	100%

Class Preparation

Students are to prepare for each class by reading the entire assigned material for the day before attending class. If you miss a class meeting, it is your responsibility to check with a classmate to determine whether the class finished all the assigned material on the day you missed.

Class Participation Guidelines

Our classroom is a learning space where each student is treated with respect and dignity and where everyone is provided the opportunity to participate, contribute, and succeed. In this course, all students are welcome regardless of background or identity. I encourage you to speak up and share your views appropriately throughout the semester. I also expect every class member to remember that in this learning environment, we will engage respectfully and with professionalism toward each other. In the words of the [Texas Lawyer's Creed](#), "[a] lawyer should always adhere to the highest principles of professionalism."

Out of respect for other students and the class environment, during class sessions computers are to be used only for note taking purposes. This prohibits computer use for Internet surfing, chat rooms, e-mail, or other uses not related to note taking for class. I reserve the right to treat violations of this policy as either a lack of preparation, a constructive lack of attendance, or, in appropriate circumstances, as a disruption of the class. In addition, during class please disable the speaker on your computer and refrain from displaying wallpaper, screen savers, or other material on your laptop computer screen that can reasonably be expected to offend or distract your classmates.

Also, please ensure that all other noise making electronics, such as smart watches, mobile phones, etc., are in a silent mode or powered off. Using such electronics during the class is obviously prohibited.

UHLC 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.

Prohibition on use of AI – Associate Dean's Office

The software technology known as artificial intelligence has recently expanded its capability to generate text and other work product (AI Generated Work Product). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text and other work product in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Work Product, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for material one might generate themselves. AI Generated Work Product can include computer code or programs as well as human language content and materials.

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Work Product in relation to any activity or assessment in this course. This applies to AI Generated Work Product from yourself or others. This obligation includes that your assessment materials in the course be without any contribution from AI Generated Work Product. This obligation specifically extends to not plagiarize any writing required of you for assessment in the course: AI Generated Work Product will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any material generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Work Product may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination.

Detailed Course Schedule

It is the instructor's intention to stay on this schedule as much as possible, but it is not guaranteed. It is your responsibility to read this schedule and check your UHLC email and the Canvas site for this course on a regular basis to stay up on your school work and prepare for each class and the exams.

Day. Date	Topics/Notes	Area of lecture and discussion for each class
Prior to JAN 20	Background Reading	Read for background Text - pp. 1 - 172
TUE 1/20	Part II: Real Property & Adverse possession	<p>In Class: Review of syllabus, answer questions, discuss objectives for course. Begin review of assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text - pp. 173-176, pp. 181-208 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 1/22	Part III: Interests	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – pp. 276-301 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 1/27	Estates	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 302-337 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 1/29	Marketability & Begin Easements	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 338-350 and begin 351-383 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 2/3	Easements Continued	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text - 351-383

		Be prepared to ask questions and actively participate in discussion of this material.
THU 2/5	Co-Ownership Begin	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> Text - 401-461 Be prepared to ask questions and actively participate in discussion of this material.
TUE 2/10	Co-Ownership	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> Text - 401-461 Be prepared to ask questions and actively participate in discussion of this material.
THU 2/12	Leasing Begin	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> Text – 462-564 Be prepared to ask questions and actively participate in discussion of this material.
TUE 2/17	Leasing	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> Text – 462-564 Be prepared to ask questions and actively participate in discussion of this material.
THU 2/19	Leasing	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> Text – 462-564 Be prepared to ask questions and actively participate in discussion of this material.
TUE	Transfers	In Class: Review assigned readings.

2/24	Begin	Readings: <ul style="list-style-type: none"> • Text – 565-607 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 2/26	Transfers & Wills and Intestacy	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> • Text – 565-607, 608-619 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 3/3	Part IV Land Transactions	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> • Text – 620-655 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 3/5	Mortgages Begin	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> • Text – 656-753 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 3/10	Mortgages	In Class: Review assigned readings. Readings: <ul style="list-style-type: none"> • Text – 656-753 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 3/12	Midterm Exam	In Class: Mid-Term Exam will be an in-class multiple choice exam covering material from the beginning of the semester.
MON 3/16 - FRI 3/20	SPRING BREAK	No in-class meetings this week. Catch up on schoolwork.

TUE 3/24	Recording	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 754-782 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 3/26	Eminent Domain	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 783-804 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 3/31	Part V Nuisance	<p>In Class: Review assigned readings.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 805-846 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 4/2	Takings Begin	<p>In Class: Review assigned readings</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 847-969 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
TUE 4/7	Takings	<p>In Class: Review assigned readings</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 847-969 <p>Be prepared to ask questions and actively participate in discussion of this material.</p>
THU 4/9	Takings	<p>In Class: Review assigned readings</p> <p>Readings:</p> <ul style="list-style-type: none"> • Text – 847-969 <p>Be prepared to ask questions and actively participate in</p>

		discussion of this material.
TUE 4/14	Zoning Begin	In Class: Review assigned readings Readings: <ul style="list-style-type: none"> • Text – 970-1059 Be prepared to ask questions and actively participate in discussion of this material.
THU 4/16	Zoning	In Class: Review assigned readings Readings: <ul style="list-style-type: none"> • Text – 970-1059 Be prepared to ask questions and actively participate in discussion of this material.
TUE 4/21	Zoning	In Class: Review assigned readings Readings: <ul style="list-style-type: none"> • Text – 970-1059 Be prepared to ask questions and actively participate in discussion of this material.
THU 4/23	Covenants	In Class: Review assigned readings Readings: <ul style="list-style-type: none"> • Text – 1060-1096 Be prepared to ask questions and actively participate in discussion of this material.
TUE 4/28	Condos	In Class: Review assigned readings Readings: <ul style="list-style-type: none"> • Text – 1097-1125 Be prepared to ask questions and actively participate in discussion of this material.
THU 4/30	Final Exam Review	Final Exam Review – bring your questions Be prepared to ask questions and actively participate in discussion of the course material.
	Final Exam Period	TBA

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UH Policies

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.

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.

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/>

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.

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.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

Women and Gender Resource Center

The mission of the WGRC is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

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.

UH Email

Please 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.

Security Escorts and Cougar Ride

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/>