

PROPERTY

Spring 2022

Credits: 4

Time: 10:30 a.m.-12:00 p.m. Tuesdays/Thursdays; 1:00-2:30 p.m. Wednesdays

Location/Instructional Mode: Hybrid

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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 interactive discussion, lecture, small group exercises (virtual classes only - via breakout rooms on Zoom), and other learning modalities.

Instructional Mode (IM): This course is designated as a **hybrid** IM course (note this is a distinct IM from hyflex). As defined by UH, a hybrid course has “a fixed meeting pattern that includes both face-to-face and virtual classrooms,” meaning that some of the weekly class sessions are virtual, and some are face-to-face. The fixed meeting pattern for this hybrid course is as follows:

- **Tuesdays:** Virtual class
- **Wednesdays:** Face-to-face class* (location to be assigned by UH administration)
- **Thursdays:** Virtual class

Please keep in mind that the situation regarding the COVID-19 pandemic is an ever-evolving one, and the information in this syllabus is thus subject to change. See below for more information on hybrid instructional mode protocol, technology protocols, and the anticipated schedule. *Flexibility will be essential as we go through the semester – I greatly appreciate your patience and understanding as we navigate these uncertain times together!*

* All face-to-face classes will also have a Zoom meeting running and recording the class, so students who cannot attend a face-to-face class session may attend via Zoom, and it will be considered equivalent for purposes of attendance (note that this provision is subject to any policy changes issued by UH administration regarding instructional modes, distance learning, etc.).

Covid-19 information for face-to-face component of hybrid course:

- **FACE COVERING POLICY:** To reduce the spread of COVID-19, the University strongly encourages everyone (faculty & students, vaccinated or not) to wear face coverings indoors on campus including classrooms.
- **VACCINATIONS:** Data shows that vaccination remains the best intervention for reliable protection against COVID-19. You can familiarize yourself with pertinent [vaccine information here](#). The University strongly encourages all students, faculty and staff to be vaccinated.

- **PRESENCE IN CLASS:** Your presence in any face-to-face class means that you:
 - Are NOT exhibiting any [symptoms](#) that make you think that you may have COVID-19
 - Have NOT tested positive or been diagnosed for COVID-19
 - Have NOT knowingly been exposed to someone with COVID-19 or suspected/presumed COVID-19
 - If you are experiencing any COVID-19 symptoms, please see [Student Protocols](#) for what to do. If you have potentially been exposed to COVID-19, go here: [Potential Exposure to Coronavirus](#).
- **ADDITIONAL COVID-19 INFORMATION:** The University's [COVID-19](#) website has important information about on-campus testing, vaccines, diagnosis and symptom protocols, campus cleaning and safety practices, report forms, and positive cases on campus. Please check the website throughout the semester for updates.

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., Blackboard - see below for detailed information under “Course Technology”) as required supplemental reading.

- Required Casebook:** The required text is DUKEMINIER, KRIER, ET AL., PROPERTY CONCISE EDITION (2nd 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 with them 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 only version of the casebook or required supplement book.*
- Required Supplement Book:** EDWARDS, ESTATES IN LAND AND FUTURE INTERESTS: A STEP-BY-STEP GUIDE (5th ed.). Students should have the required supplement book with them to the classes for which material has been assigned from it.
- 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.
- 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 Blackboard in the “Powerpoints” tab.
- 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 Blackboard under the “Handouts” tab.
- 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 Blackboard (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.

Course Technology:

- **Zoom:** All virtual class sessions will be conducted via Zoom. *See the “Policies and Protocols for Remote Class Sessions” at the end of this document for important information regarding technology and policies for Zoom class sessions.*
- **Blackboard:** The course website is hosted on the **UH Blackboard** 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 and links to live class session recordings, 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. To access our Property web course on Blackboard:
 1. Log into [Access UH](https://uh.edu) (accessuh.uh.edu).
 2. In the “University Services” box, click the “Blackboard Learn 9” icon.
 3. On the Blackboard site, click [2022SPR-14791-LAW5408-Property](https://uh.edu/blackboard/learn/2022SPR-14791-LAW5408-Property).
 4. Our Blackboard web course should be available approximately 1 to 2 weeks before our first class. You will be automatically enrolled in the Blackboard class website.

Below are some links to useful information about Blackboard:

- [Information for new Blackboard and CougarNet users:](https://uh.edu/blackboard/new-users/)
- [Blackboard help and resources for students:](https://uh.edu/blackboard/help/)
- [Blackboard support:](https://uh.edu/blackboard/support/)
- **UH E-Mail:** Email communications related to this course will be sent to will be sent to your [Exchange email account](#) which each University of Houston student receives (which is also the email that links to the course Blackboard page). Please regularly check this email account. The Exchange mail server can be accessed via Outlook, which provides a single location for organizing and managing day-to-day information, from email and calendars to contacts and task lists. Exchange email accounts can be accessed by logging into Office 365 with your Cougarnet credentials or through Access UH. Additional assistance can be found at the [Get Help](#) page.
- **Video recording of classes:** Per UHLC policy (below), all class sessions (both virtual and face-to-face) will be recorded via Zoom.
 - *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 at [\(713\) 743-5400](tel:7137435400) or email them

at JDCenter@central.uh.edu. 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. As noted above, per UHLC policy, all classes will be recorded by the instructor via Zoom. 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 permitted, but should only be used for note-taking purposes and connecting to classes remotely. 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.

Reserve books at UHLC Library: Hard copies of both the required casebook and the required supplement book are available on reserve at the UHLC Library. The library staff have worked diligently put in place a system to make electronic versions of reserve materials available when possible on short-term reserve loans to students, but please keep in mind that reserve materials may not be as readily available electronically. Students with questions about library resources and availability of books on reserve should contact the library (see <http://www.law.uh.edu/libraries/covid19.asp> for information about phone and chat contact options).

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 (60%) and essay questions (40%).
 - **Students must take the exam in person** (i.e., students must be physically present in the UHLC building at the date/time and room location (TBD) 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 into the exam: (1) the Dukeminier casebook and Edwards textbook; (2) any materials posted on the Class Blackboard page; and (3) notes or outlines prepared by the student alone or with classmates. However, no hornbooks, treatises, or commercial outlines are permitted, and no electronic sources can be consulted during the exam. **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 casebooks.**
- **Formative Assessments:**
 - To aid students in exam preparation, there will be a mandatory, ungraded mid-semester assessment in the form of a one-hour take-home essay question in March. Additional information about the mid-semester assessment will be provided prior that time.
 - In addition, each week, there is a mandatory, ungraded weekly review quiz posted on Blackboard under the “Weekly Review Quiz” tab. The quizzes are designed to take no more than 10 minutes and are offered to provide a formative assessment

opportunity for students to regularly test their knowledge of assigned material for that week. 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 Blackboard. Quiz answers (along with brief explanations) are provided automatically on Blackboard after students submit the quiz.
- The weekly review quizzes are due at 5 pm every Monday; this timing allows me to review the quiz answers/scores and incorporate materials that address any issues related to quiz responses into our class sessions that week. While we will not discuss every quiz question during our class sessions, there will be an opportunity for students to ask questions about the quiz materials during class and students should be prepared to discuss the quiz questions as part of the in-class discussion.

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 live 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 or during office hours or via email.*
- **On-call system:** For purposes of class discussion, we utilize an on-call system. Students are divided into assigned on-call groups (alphabetically by last name – groups will be assigned prior to the start of the semester once the roster is finalized and provided to students via Blackboard prior to the start of the semester). Each on-call group is assigned specific days on call. **Note that all students/all on-call groups are on-call for the first class (Tues. Jan. 18) and for the final two classes of the semester in late April.** 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.
- **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 times over the course of the semester. To utilize a pass, **you must email me 15 minutes prior to the start time of class** on the day of the class you are passing (i.e., by 10:15 a.m. if you are passing on a Tuesday or Thursday, or by 12:45 p.m. if you are passing on a Wednesday). If you exceed three 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 Blackboard 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 Blackboard 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 wrap up the material and which students will be responsible for reviewing 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 (both virtual and face-to-face) will be taken through an online sign-in process using Google Forms. At the start of each class session, I will assign a passcode for the day. Students should then log onto the designated Google form link (to be provided via Blackboard prior to the start of the semester) and enter your last name and the passcode 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, Megan Bostick (mbostick@central.uh.edu) promptly. **You do not need to email me in advance if you will be absent.** *As noted above, all face-to-face class sessions will also have a Zoom meeting running, so students who cannot attend a face-to-face may attend via Zoom, and it will be considered equivalent for purposes of attendance (but note that this provision is subject to any policy changes issued by UH administration regarding instructional modes, distance learning, etc.).* 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 virtually via Zoom at [TBD].

Lateness: Students entering the classroom for face-to-face classes late 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 on days when our class is held face-to-face. 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 sign the attendance form.

Tutors: The teaching assistants will provide students with their contact info and information about their office hours during the first week of class via email and/or announcement on Blackboard.

Accommodations: The University of Houston System complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for students who have a disability. In accordance with Section 504 and ADA guidelines, the Student Accessibility Center strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please call the Justin Dart, Jr. Student Accessibility Center at [\(713\) 743-5400](tel:7137435400) or email them at 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.

Counseling and Psychological Services: Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, which offers a (virtual) drop-in consultation service at convenient hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html. The Texas Lawyers’ Assistance Program (“TLAP”) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP’s website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

Other Support Services: Law school can be a challenging experience, and on top of that, we are in an economic depression and 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/>.

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)

Diversity and Inclusion: The University of Houston embraces diversity and recognizes our responsibility to foster an open, welcoming environment where students, faculty and staff of all backgrounds can collaboratively learn, work and serve. We value the academic, social, and broader community benefits that arise from a diverse campus and are committed to equity, inclusion and accountability. Diversity enriches our university community and is a driving force instrumental to our institutional success and fulfillment of the university’s mission. We commit to engaging in an ongoing dialogue to thoughtfully respond to the changing realities of our increasingly interconnected world. We will continually strive to work together to address the challenges of the future in a way that removes barriers to success and promotes a culture of inclusivity, compassion and mutual respect. The competencies gained through diverse experiences across campus prepare all of our students, staff and faculty to thrive personally and professionally in a global society. 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 else, Student Services is an excellent resource: 713-743-2182. Students may also bring any issues negatively impacting UHLC’s openness to diversity and inclusion to the Law Center’s Diversity and Inclusion committee. The D&I committee’s charge includes “[building] on the Law Center’s strengths as a diverse and inclusive environment.” You can contact the committee directly at UHLCD&I@uh.edu.

ABA Standard 306 Distance Education: ABA Standard 306 sets out the parameters for earning credit for study offered through distance education and provides that “A law school may award credit for distance education . . . if: (1) there is ample interaction with the instructor and other students both inside and outside the formal structure of the course throughout its duration; and (2) there is ample monitoring of student effort and accomplishment as the course progresses.” The ABA has approved a waiver request from UHLC for the academic year of Fall 2020 and Spring 2021, which provides for an “emergency variance to exempt from the credit limits on distance education (currently set forth in Standard 306(e)) credits earned in courses offered through distance education during the COVID-19 emergency.” This course satisfies ABA Standard 306 by providing regular interaction between instructor and students both in and outside of the formal structure of the course for its duration through weekly synchronous classes, asynchronous assignments, and office hours, and provides ample monitoring of student effort and accomplishment as the course progresses through weekly assignments, formative assessments, participation component to the final grade, and the final exam.

Honor Code: The Honor Code applies to all aspects of this class. *Students are responsible for knowing all Honor Code provisions and for complying with the Honor Code.* Please ask if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations in the course.

[“Policies and Protocols for Remote Class Sessions” and “Schedule of Assignments” are on the following pages]

Policies and Protocols for Remote Class Sessions

- **UH Remote-Learning Resources:** The University of Houston is committed to student success, and provides information to optimize the online learning experience through the [Power-On](#) website remote-learning website for students, <https://uh.edu/online/students/remote-learning/index>, which has links to resources on remote-learning tools and tips, internet access, and assistance contacts. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Blackboard; requesting a laptop through the Laptop Loaner Program; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. UH also offers a remote-learning planning guide for students at <https://uh.edu/infotech/about/planning/off-campus/students/>. For questions or assistance contact UHOnline@uh.edu.
- **Zoom:** All virtual classes in this course will be conducted using the Zoom platform (and all classes, both virtual and face-to-face, will be recorded via Zoom). To facilitate a robust remote learning environment and legal professionalism, the following policies apply to students participating in distance education:
- **Before the Zoom class session:**
 - We will use a recurring Zoom meeting room for synchronous classes, with the same URL and password for the entire semester. I will distribute the Zoom link/meeting ID and the meeting password by email before our first class session. Please do not share our Zoom meeting password outside your 1L section.
 - **Technology requirements:** You must be connected to the Zoom session at the starting time of our virtual class sessions (i.e., 10:30 a.m. on Tuesdays & Thursdays), and if you utilize remote attendance for a face-to-face class (i.e., 1:00 p.m. on Wednesdays). If you are unfamiliar with Zoom, please review the UH remote-learning resources above and familiarize yourself with the Zoom website interface/Zoom app interface prior to the start of the semester. Your computer must have a working video camera and quality audio capability, and you should minimize distractions from other activities during the Zoom session. Unless there are extenuating circumstances, students should not join the Zoom session using dial-in by phone: many of the Zoom capabilities are limited or not available at all for participants joining by phone. If extenuating circumstances require that you join by phone, you should email me prior to class (or as soon as possible thereafter, if technological issues make it impossible to do so before the start of class).
 - **Identification:** When you join the Zoom meeting, you must identify yourself in Zoom by “Last name, Preferred first name.”
 - **Video:** Students are expected to join class sessions using video, which facilitates class engagement. *If you have extenuating circumstances that necessitate joining by audio only for a particular class session, you must email me prior to class to notify me.*
 - **Professionalism:** Recognizing that individual circumstances of remote learning from home or other non-classroom locations may mean there may be an occasional guest appearance by a family member, or pet, or other on-camera interruption, please try to minimize interruptions. Please maintain a professional presence on camera by presenting your face and upper body area professionally in the video stream. Zoom offers the option to set up an automated background,

which you are welcome to use, but please keep it professional. Drinking water/beverages occasionally on camera during the Zoom session is fine, but please avoid eating on camera as it can be distracting to other participants and does not present professionally.

- **During the Zoom class session:**

- Mute/unmute function: Students will be automatically muted upon entry to Zoom session. When called on, students should manage their “mute button” to unmute themselves, and after finishing speaking, re-mute themselves. When you are speaking, please speak loudly and clearly. If you anticipate background noise during the Zoom session, please utilize headphones (no expensive equipment should be required: generic smartphone headphones are typically adequate; if you need assistance acquiring headphones, please contact me).
- Raise hand function: Students should use the raise hand function on Zoom if they have a question (find this icon by clicking on “Participants” at the bottom of the Zoom screen; a list of participants will then appear on the right side of the screen with your name, as well as a list of functions, including “raise hand”). I will check my Zoom monitor for blue hand icons during topic breaks/pauses in our discussions (which may be a few minutes after you’ve raised your hand), so please keep your “raise hand” icon raised until I’ve called on you. Please select the “lower hand” icon after you’ve been called on.
- Chat function: Because I cannot moderate the chat function simultaneously while teaching and facilitating student discussion, please limit your use of the chat function. If you have questions, please use the “raise hand” function instead.

- **After the Zoom class session:**

- Post-class Q&A: I will remain on the Zoom meeting for several minutes after the class session ends on virtual class days (i.e., Tuesdays and Thursdays) to respond to any lingering questions individual student(s) may have. These post-class Q&A sessions will be recorded as part of the recording of that day’s class session. However, if you would like to speak with me privately after class, I can use the Zoom breakout room feature to communicate with you. (Students can also send post-class questions via email or during office hours as well).
- Recordings: As noted above, all classes are recorded per UH policy. Zoom generates recordings of class sessions and a link to the recording of every class session will be posted on BB (under the “Class Recordings” tab) within a day after each class (occasionally there may be technology slowdowns, in which case the link to the recording will be posted once it has been generated). To promote accessibility for all users, the Zoom cloud recording includes an audio transcript that captions the audio of the session.

[“Schedule of Assignments” follows on next page]

Schedule of Assignments

Course Structure: Below is an outline of the topics to be covered during the semester (an updated version will be posted on Blackboard prior to start of semester with precise breakdown of assignments by page number). Please note schedule is subject to adjustment to account for the pace of class and unforeseen circumstances (i.e., professor illness, extreme weather event, etc.). Students should check the course website for the most up-to-date version of the syllabus. If there is 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. 1-21 (stop after note 4 on pg. 21); pg. 22 (notes 1-2 only)

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