



UNIVERSITY OF
FLORIDA

Fredric G. Levin College of Law

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PROP. TRANS. - LAW 7602
TUES., WED.: 10:35 AM – 12:00 PM
ROOM: HH 359
OFFICE HOURS: TUES. WED.: 12:10 - 1:00

**TAXATION OF PROPERTY TRANSACTIONS
COURSE SYLLABUS: FALL 2025**

**“The hardest thing in the world to understand is the income tax.”
—Albert Einstein**

CREDIT HOURS.

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REQUIRED TEXT.

- (i) *Federal Income Taxation: Cases, Problems, and Materials*, 7th edition (Newman, Brown, and Crawford) (2019)(West Academic Publishing); and
- (ii) Internal Revenue Code and Income Tax Regulations (on-line version is fine).
- (iii) You may take note that there are several useful secondary sources available in the library, including books by (i) Chirelstein (call number KF 6369.C43 2012), (ii) Bittker (call number KF 6369.B57 2002) and (iii) Pratt (call number KF 6369 B26 2014). Feel free to consult these if the need arises during the semester.

COURSE DESCRIPTION AND METHODOLOGY.

The central themes of this course will be the acquisition and use of tax basis and the classification of income, gains, losses and expenses related to property. We will explore these themes through studying provisions of the code and regulations, other administrative guidance, and case law. The course will be taught primarily through the problem-solving method, with limited time on overview lectures.

COURSE OBJECTIVES.

- To articulate fundamental federal income taxation concepts and statutes.

- To analyze tax statutes, tax regulations, and other forms of administrative tax guidance.
- To solve tax problems encountered in the acquisition, use, and disposition of property.

STUDENT LEARNING OUTCOMES.

By the end of the course, students should be able to:

- Demonstrate a foundational understanding of the rules and policies underlying the United States income tax system;
- Demonstrate operational knowledge of the structures and processes relevant to the United States income tax system;
- Acting individually and independently, as well as collaboratively with others during face-to-face, in-person interactions, as lawyers frequently do in practice, demonstrate understanding of the role of case law, precedent, and statutory and regulatory sources in the United States income tax system;
- Use legal doctrine to solve problems by identifying and articulating income tax-related issues in various factual scenarios;
- Orally, in writing and in person viva voce, with or without advance notice, use case law, statutory law and regulatory tax law to solve client income-tax related issues by applying the law in a creative way to further client goals;
- Correctly apply legal language and terminology relevant to the United States income tax system including terms such as: income, deductions, rate of taxation, credits, taxpayer classification.
- Conduct in-person, face-to-face conversations with classmates concerning complex, difficult, and even controversial matters of law and policy concerning the design and operation of the tax system, with attention to the challenges of communicating in live, in-person, professional settings with regard to such matters, with particular attention to: preparation; eliminating anxiety and overcoming avoidance; separating data, facts and judgments (or beliefs) into discernible categories; advocating for a position; using a structure to provide clarity and focus during discussion; monitoring and modifying temperament and emotion while improving critical thinking and communication skills.

OFFICE HOURS.

My office is located at 353 Holland Hall. My office hours on Tuesdays and Wednesdays from 12:10 – 1:00. Also, I am happy to make appointments to meet or to speak by telephone at mutually agreeable times. I can be available most days.

In addition, I am amenable to “coffee” meetings with small groups of students. If you would like an opportunity for this type of informal group discussion (whether about this class, practice in general, or other topics), feel free to organize a few classmates and we can pick a date to meet that is mutually convenient. I look forward to getting to know you.

E-Mail.

I prefer you speak to me in person rather than ask questions by email. If you email, I try to respond to all emails, but I cannot always respond immediately. There will be times that I can respond to a student’s questions more quickly or effectively in person, so don’t be surprised if I ask you to see me before or after class or otherwise for an explanation. On weeknights, I am trying to turn off all technology by 7:00 p.m. On the weekends, I am trying to follow through on my resolution to distance myself from all (beloved) electronic gadgetry, so if you email me over the weekend, you may not hear from me until Monday. Especially do not assume that I will receive or read an email you send immediately preceding a class session.

ATTENDANCE AND SEATING CHART.

Pursuant to the rules of the American Bar Association, regular class attendance is required (whether on-line or in-person). Participation and preparation are required.

In-person students must sign an attendance roster circulated at the beginning of each class meeting. I will circulate a seating chart on the third day of class. Your seat on that day of class will be your seat for the entire semester.

On-line students must sign-in **and are required to be on camera.**

Zoom attendance is only permitted for those students taking the class on-line.

Failure to regularly attend class may result in the student’s grade being lowered by half a letter grade, being dropped from the course, or precluded from taking the final examination.

WORKLOAD/CLASS PREPARATION.

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Taxation of Property Transactions has 3 “classroom hours” of in-class instruction each week, requiring at least 6 hours of preparation outside of class. You will have about 60 pages of reading with discussion problems each week. Because the course involves statutory and regulatory provisions that require careful reading and discussion problems that require advance written preparation, you should spend at least one hour of preparation on every 10 pages of reading.

CLASSROOM CONDUCT.

Please do not arrive late to class, leave early, or leave to take a break during class absent extenuating circumstances. Please turn off your cell phone during class. I reserve the right to lower your final grade if you engage in behavior that disrupts the learning environment for your classmates.

You are welcome to take class notes on a laptop computer. Except for taking class notes, no other use of computers (and the internet) during class is authorized for any reason unless I specify to the contrary.

Our classroom is a community of learners in which the quality of your participation is important. Please prepare for class, participate energetically and conduct yourself professionally.

I will randomly call on students in class. Students should be prepared and ready to discuss the materials from the reading.

CLASS RECORDING POLICY.

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

FINAL EXAM AND GRADING POLICY:

One three (3) hour examination. The exam will be administered remotely in accordance with the Levin College of Law examination policy. Students will access exams via Exemplify. The law school policy on exam delays and accommodations can be found [here](#)

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available [here](#).

COMPLIANCE WITH UF HONOR CODE.

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

STUDENT COURSE EVALUATIONS.

Students can provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will receive notice of the specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

OBSERVANCE OF RELIGIOUS HOLIDAYS.

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES.

Students requesting classroom accommodation must first register with the Office of Disability Resources. The UF Office of Disability Resources will provide documentation to the student who must then provide this documentation to the Law School Office of Student Affairs when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester

STATEMENT ON BASIC NEEDS ASSISTANCE.

Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

OTHER.

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at [this link](#).

COURSE COVERAGE: FALL 2025

Class 1 Tuesday, August 19, 2025

Topic: Introduction and Course Overview

Homework Read Syllabus, and
Assignment: Casebook pp. 1-27

Class 2 Wednesday, August 20, 2025

Topic: What is Income? Definitions of Income; Basis and Debt

Homework Reminder: Quiz #1 due before 9:00 a.m. in order to be counted as present
Assignment: in class today for attendance purposes, in addition to the usual in-person sign-in. It does not count for anything other than attendance purposes.

Complete Quiz #1 on Classes (mandatory)

Read Casebook pp. 29-32 [stop before “Bargains and Frequent Flyer Programs”], 34-38

Comm’r v. Glenshaw Glass Co.

Read IRC §§ 1; 61; 63; 102; 103; 1001; 1011; 1012; 1016(a)
Read Treas. Reg. §§ 1.61-1, -2(a)(1), -2(d)(1), -3(a), -6(a), -14(a)
Prepare Casebook Problems p. 30: 1- 5; Problem p. 38: 1, 2
Read Supp. pp. C-2 to C-5

Class 3 Tuesday, August 26, 2025

Topic: What is Income? Basis and Debt (cont’d)

Homework Assignment: Read Casebook pp. 39-41 [stop after CB prob. 3], 45-71

Old Colony
Kirby Lumber
Zarin v. Comm'r
Collins v. Comm'r

Read IRC §§ 61(a)(11); 108(a), (d)(1)
Read Treas. Reg. §§ 1.61-6(a); 1.1001-2(a); 1.61-12(a)
Prepare Casebook Problems pp. 40-41: 1(a)-(c), 2, 3; p. 58: 1; p. 66: 1, 2; p. 68 (a)-(i) (“What is A’s basis...?”)
Read Supp. pp. C-6 to C-7

Class 4
Wednesday, August 27, 2025

Topic: What is Income? Basis and Debt (cont’d)

Homework Assignment: Read Casebook pp. 71-81

Comm’r v. Tufts
Rev. Rul. 90-16

Read IRC §§ 61(a)(11); 1001; 1012; 1014(a),(b),(e); 108(a)(1)(E), (h)
Read Treas. Reg. §§ 1.61-6(a); 1.1001-1(a), -2(a), -2(b)
Prepare Casebook Questions p. 77-78: 1-4; Question p. 79; Problems pp. 79-80: 1-4
Read Supp. pp. C-8 to C-36

Complete Class 4 Quiz on Classes by 9:00 a.m.

Class 5
Tuesday, September 2, 2025

Topic: What is Income? Basis and Debt (cont’d) + Exclusions from Gross Income - Gifts and Bequests

Homework Assignment: Read Casebook pp. 83-97

Comm’r v. Duberstein
Peebles v. Comm’r

Read IRC §§ 102(a), (c); 74(a)-(c); 132(a)(4), (e)
Read Treas. Reg. §§ 1.102-1(a), (f)(1), (2)
Prepare Casebook Problems pp. 94-97: 6-8, 11-13
Read Supp. pp. C-37 to C-39

Class 6
Wednesday, September 3, 2025

Topic: Exclusions from Gross Income - Life Insurance; Basis of Property Acquired by Gift or Bequest; Basis of Property Acquired from Decedents

Homework Assignment: Read Casebook pp. 99-110 (stop before “Question: The Basic World Tax Code...”)

Taft v. Bowers
Farid-Es-Sultaneh

Read IRC §§ 101(a), (c), (d); 102; 1015(a), (e); 1041; 1014(a), (b)(1)
Read Treas. Reg. §§ 1.101-4(c); 1.1001-1(e); 1.1015-1(a); 1.1015-4
Prepare Casebook Problems pp. 100-101: 1- 5; Problems p. 104: 1, 2;
Problems p. 108: 1, 2; Problems p. 110: 1-3

Class 7
Tuesday, September 9, 2025

Topic: Exclusions from Gross Income - Fringe Benefits

Homework Assignment: Read Casebook pp. 110-111 (stop before *Turner*), 113-125 (stop before

United States Junior Chamber of Commerce
Joint Committee on Tax’n Examination of Pres. Nixon’s Tax Returns
Haverly v. U.S.
House Ways and Means Rept. 98-432
Supplemental Report of the Committee on Ways and Means U.S.
House of Representatives on H.R. 4170
Joint Committee Print, Overview of the Tax Treatment of Fringe
Benefits, 1984

Read IRC §§ 119(a), (b), (d); 107; 132(a)-(f), (h)-(j); 274(m)(3)
Read Treas. Reg. §§ 1.61-21(a)(4), (b)(1), (b)(2); 1.119-1; 1.132-1 through -

6, -8(a)(2)(i)
Prepare Casebook Problems pp. 124-125: 1-7, 11
Read Supp. pp. C-40 to C-43

Class 8
Wednesday, September 10, 2025

Topic: Finish any carry over from last class + Exclusions from Gross Income – Fringe Benefits (cont'd) + Employer Provided Meals and Housing, Damages

Homework Read Casebook pp. 125-130, 133-143
Assignment:

United States Junior Chamber of Commerce v. U.S.
Gaylor v. Mnuchin (in Supp.)
Crawford & Waldman, Ministerial Magic (in Supp.)
Amos v. Comm'r

Read IRC §§ 132(a)-(f), (h)-(j); 104(a)(1), (2), 104(c)
Read Treas. Reg. §§ 1.132-1 through -6, -8(a)(2)(i); 1.61-21; 1.104-1(a), (b), (c)
Prepare Casebook Problems p. 142: 1, 2, 4
Read Supp. pp. C-44 to C-70

Class 9
Tuesday, September 16, 2025

Topic: Business Deductions - Ordinary and Necessary Expenses

Homework Read Casebook pp. 145-160
Assignment:

Welch v. Helvering
Fred W. Amend Co. v. Comm'r
Trebilcock v. Comm'r

Read IRC §§ 162(a), (c), (f), (g); 262
Read Treas. Reg. §§ 1.61-12(a)
Prepare Casebook Problems p. 152: 1-3; pp. 156-157: 1-3, 7; Problems pp. 159-160: 1-2
Read Supp. pp. C-71

Class 10
Wednesday, September 17, 2025

Topic: Business Deductions - Ordinary and Necessary Expenses (cont'd), Expenses of the Production of Income, Causation

Homework Read Casebook pp. 160-180

Assignment:

Jenkins v. Comm'r
Jenkins v. Comm'r (AOD)
Higgins v. Comm'r
U.S. v. Gilmore

Read IRC §§ 162(c), (f), (g); 212
Read Treas. Reg. § 1.212-1(a), (b), (d)-(g), (j)-(p)
Prepare Casebook Problem p. 169: 3; Casebook Question p. 176

Class 11
Tuesday, September 24, 2025

Topic: Business Deductions – Causation (cont'd), Public Policy Doctrine

Homework Read Casebook pp. 180-190, 193-198

Assignment:

Kopp's Company, Inc. v. U.S.
Cavanaugh v. Comm'r
Californians Helping to Alleviate Medical Problems, Inc. v. Commissioner

Read IRC §§ 162(c), (f), (g); 280E
Read Supp. pp. C-72
Prepare Casebook Questions and Note p. 184: 1-4

Class 12
Wednesday, September 24, 2025

Topic: Business Deductions – Salaries, Qualified Business Income, Capital

Expenses

Homework Read Casebook pp. 202-207, 209-220

Assignment:

Exacto Spring Corp. v. Comm'r
International Freighting v. Comm'r
Fall River Gas Appliance Co. v. Comm'r
INDOPCO, Inc. v. Comm'r

Read IRC §§ 162(a)(1); 199A(a),(b),(c) [skim for general sense only];
263(a)(1); 263A(a)

Class 13
Tuesday, September 30, 2025

Topic: Capital Expenses (cont'd), Depreciation + Capital Gains

Homework Read Casebook pp. 221-222, 232-236, 243 (start with "Note on the TCJA")-
Assignment: 244, 295, 299-302 (stop after "Loss Problem"), 303-307

Wells Fargo & Co. v. Comm'r
Fribourg Navigation Co. v. Comm'r
Rice v. Comm'r

Read IRC §§ 167(a), (c); 168(a)-(c), (k); 1211; 1212(b); 1221; 1222
Read Treas. Reg. § 1.167(a)-3
Prepare Casebook Problems p. 300 ("Gain Problem"), p. 302 ("Loss Problem"), p. 307: 1-5

CLASS 14
Wednesday, October 1, 2025

Topic: Deductions – Travel, Meals, Clothing

Homework Read Casebook. pp. 337-342, 343 (start with "Medium Trips")-348
Assignment:

Green v. Comm'r
U.S. v. Correll
Rev. Rul. 93-86

Read IRC §§ 162(a)(2); 274(a), (k), (n)(1); 67(a), (b)
Read Treas. Reg. §§ 1.162-2, 1.274-1, -2, -5T
Prepare Casebook Question p. 348

Class 15
Tuesday, 7, 2025

Topic: Deductions – Travel (cont'd); Mixed Personal and Business, Educational Expenses

Homework Assignment: Read Casebook pp. 349-365

Andrews v. Comm'r
Moss v. Comm'r
Coughlin v. Comm'r

Read IRC §§ 274(m)(2); 25A, 221, 529, 530(a)-(c)
Read Treas. Reg. § 1.162-5(a)-(c)
Prepare Casebook Problems p. 353 1-5(a); Questions p. 358: 1, 2;
Problems pp. 361-362: 1-4
Read Supp. pp. C-73 to C-76

Class 16
Wednesday, October 8, 2025

Topic: Business Use of Homes, Child Care Expenses

Homework Assignment: Read Casebook pp. 366-381

Comm'r v. Soliman
Wrights Smith v. Comm'r
Symes v. Canada

Read IRC §§ 280A, 21 [skim for general sense of complexity only]; 24
[skim for general sense of complexity only]
Prepare Casebook Problems p. 377: 1, 2; p. 381: 1, 3

Class 17
Tuesday, October 14, 2025

Topic: Practice Midterm (mandatory)

The Practice Midterm is required of all students, but it has no impact on your grade. You should take the exam during class time, under timed, exam conditions. Students are encouraged to take the test under timed conditions, with 1 hour and 30 minutes to complete the exam. If you have accommodations and wish to take the test under your accommodated conditions, please do so according within the pertinent time allocation.

The Practice Midterm covers classes 1-14.

Class 18
Wednesday, October 15, 2025

Topic: Who Is the Taxpayer? Introduction to Assignment of Income

Homework Read Casebook pp. 393-397 (skip “Note” p. 397), 397-406
Assignment:

Arcia v. Comm’r
Lucas v. Earl
Blair v. Comm’r
Helvering v. Horst

Prepare Casebook Questions pp. 397-398; Questions pp. 399-400: 1-3;
Question p. 402

Class 19
Tuesday, October 21, 2025

Topic: Who Is the Taxpayer? Assignment of Income (cont’d); Taxation of the Family

Homework Read Casebook pp. 407-409 (skip “Notes and Question”), 410-417, 425-441
Assignment: (stop before “Innocent Spouse Rules”)

Meisner v. U.S.
Comm’r v. Banks
PLR 201015016
Rev. Rul. 2013-17

Reynolds v. Comm'r

Read IRC §§ 1(a)-(d),(j)(2)(C) and (D), 2(a)(1)-(2), (b), (c), 1041

Read Treas. Reg. § 1.1041-1T(b) Q-6/A-6, A-7/A-7

Prepare Casebook Problems p. 434: 1(a), 2; Casebook Question p. 441

Class 20
Wednesday, October 22, 2025

No Class

Cass 21
Tuesday, October 28, 2025

Topic: Personal Deductions and Credits

Homework Read Casebook pp. 449-459

Assignment:

Read IRC §§ 63(a), (b), (c)(2); 2(a), (b), (c); 151; 152; 32(a)-(c), (i) [skim § 32 for general sense of complexity only]; 62(a); 7703

Prepare Casebook Problems p. 457: 1-2; pp. 458-459: 1-3, 5

Read Supp. pp. C-77 to C-78

Class 22
Wednesday, October 29, 2025

Topic: Charitable Contributions

Homework Read Casebook pp. 459-477

Assignment:

Hernandez v. Commissioner

PLR 9624001

U.S. v. Kuch

Read IRC §§ 170, 501 [skim for general sense only]

Read Treas. Reg. §§ 1.170A-1

Prepare Casebook Problems pp. 469-470: 3, 4; pp. 476-477: 1-5.

Read Supp. pp. C-79 to C-80

Class 23
Tuesday, November 4, 2025

Topic: Charitable Contributions (cont'd), Personal Deductions and Credits - Medical Expenses

Homework Finish any material from previous class + Read Casebook pp. 502-515,
Assignment: 517-518

Ferris v. Comm'r
Comm'r v. Bilder
Finzer v. U.S.
Magdalin v. Comm'r (in Supp.)

Read IRC § 213(a), (b), (d)
Read Treas. Reg. § 1.213-1(e)(1)
Prepare Casebook Question p. 509: 1
Read Supp. pp. C-81 to C-85

Class 24
Wednesday, November 5, 2025

Topic: Non-Recognition Transactions

Homework Read Casebook pp. 537-546 (stop before "Debt Problems"), 546-552
Assignment:

Santucci v. Comm'r
PLR 8127089
Johnson v. Comm'r

Read IRC §§ 1031, 1033
Read Treas. Reg. §§ 1.1031(a)-1, (a)-2, (d)-2
Prepare Casebook Questions p. 540: 1, 2; Problems p. 540: 1-3, 5

School Holiday
Tuesday, November 11, 2025

Class 25
Wednesday, November 12, 2025

Topic: Exclusion of Gain from Sale of Principal Residence; Calculation of Tax Liability

Homework Read Casebook pp. 559-563

Assignment:

PLR 200820016

Notice 2002-60

Read IRC § 121

Read Treas. Reg. §§ 1.121-1(a)-(c), 1.121-2; 1.121-3

Prepare Casebook Problems pp. 561-562: 1-2 (but assume depreciation out of the problem)

Read Supp. pp. C-85 to C-86

Class 26
Tuesday, November 18, 2025

Topic: Review Session

Homework Assignment: Review your notes/materials

Read Supp. pp. C-86 to C-88 + skim either C-89 to C-109 or C-110 to C-130 (*look for familiar/ new concepts, general structure*)