**Property Law Syllabus**

Spring 2021

Professor Annie Brett

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Office Hours: Tuesday 10:45-12:45 or by appointment

**Required Coursebook**

Readings for this class will be from *Open Source Property.* Electronic versions of the material are available on our course Canvas page. If you wish to purchase a hard copy, royalty-free versions will be available on Amazon one week prior to the start of class.

**Class Meetings**

Tuesday, Wednesday, Thursday: 9:10-10:25

Our class will meet simultaneously in person and virtually, via the link which can be accessed from our course Canvas page.

**Course Description**

This course covers the acquisition and possession of real and personal property; estates in land; introduction to future interests; landlord and tenant; survey of modern land transactions and methods of title assurance; easements; and licenses, covenants, and rights incident to land ownership.

**Learning Outcomes**
After completing this course, students should be able to:

1. Understand the basics of different types of property and how these are subject to ownership.
2. Determine how property rights can be gained, divided, transferred and terminated.
3. Articulate constitutional, statutory, and common law limitations on the scope of property rights and government regulation of these rights.

**COVID Policies**

We will have face-to-face instructional sessions to accomplish the student learning objectives of this course. In response to COVID-19, the following policies and requirements are in place to maintain your learning environment and to enhance the safety of our in-classroom interactions:

* You are required to wear approved face coverings at all times during class and within buildings. Following and enforcing these policies and requirements are all of our responsibility. Failure to do so will lead to a report to the Office of Student Conduct and Conflict Resolution. You also will no longer be permitted on the UF Law campus. Finally, Dean Inman will also report your noncompliance to the relevant state board of bar examiners.
* This course has been assigned a physical classroom with enough capacity to maintain physical distancing (6 feet between individuals) requirements. Please utilize designated seats and maintain appropriate spacing between students. Please do not move desks or stations.
* Sanitizing supplies are available in the classroom if you wish to wipe down your desks prior to sitting down and at the end of the class.
* Follow your TA’s guidance on how to enter and exit the classroom.  Practice physical distancing to the extent possible when entering and exiting the classroom.
* If you are experiencing COVID-19 symptoms (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>), please do not come to campus or, if you are already on campus, please immediately leave campus. Please use the UF Health screening system and follow the instructions about when you are able to return too campus. <https://coronavirus.ufhealth.org/screen-test-protect/covid-19-exposure-and-symptoms-who-do-i-call-if/>.
* Course materials, including recordings of any missed lectures, will be provided to you with an excused absence, and you will be given a reasonable amount of time to make up work.<https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/>.

**Attendance Policy**

Per ABA requirements, please attend all classes (either in-person or remotely) unless you have a compelling reason not to do so, in which case you should email me beforehand. Missing more than 4 classes may negatively impact your grade. Attendance will be taken by our TA. Students participating remotely will need be on video in order to be counted as in attendance. If this poses a problem, please email me.

**Class Participation**

Active participation is an essential component of this class. I ask that each of you arrive to class having done the readings and prepared to meaningfully engage in discussion, regardless of whether you attend in person or remotely. Participation will account for 10% of your final grade.

**Virtual Norms**

For those of you attending class virtually, please respect the following norms:

* Please refrain from any behavior that may distract your classmates
* Keep your video on to the extent that you are able
* Mute yourself to limit background noise if you are not speaking
* Use the chat or raise hand feature to participate
* Respect the privacy of your fellow students (no screengrabs or pinning)

I know that some of you may be logging in from locations that are not always quiet, private or distraction-free. I ask that we all treat any interruptions, be they on my end or your fellow classmates, with flexibility and good humor.

**Recordings**

Students may not take, circulate, or post photos or videos of classroom discussions, whether they are in-person, hybrid, or completely online.  Students failing to follow this rule will be referred to the College of Law Honor Code Council and the university’s Office of Student Conduct and Conflict Resolution.

All classes will be recorded and made available to students who are unable to attend class for an excused absence or have an ADA accommodation.

**Office Hours**

I encourage you all to come to office hours, this semester more than ever. The link is posted on Canvas. I will use the waiting room feature to allow students to meet with me individually without appointments. If you wish to come to office hours join the Zoom meeting and I will let you out of the waiting room when I am finished speaking with the previous student (do not worry if you are waiting for a few minutes). I am happy to make appointments outside of office hours for those who are not able to attend during these times.

**Evaluation**

This class will have a take-home, open-book final examination that will account for 90% of your final grade. The remaining 10% of your grade will be based on your active participation in class.

**UF Law Grading Policies**

This course will be graded in accordance with the law school’s grading policy.

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| --- | --- |
| 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 at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>.

**Accommodation for Students with Disabilities**

Students requesting accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean Mitchell) when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

**UF Law Honor Code:**

Students are bound by the UF Law Honor Code, which can be found here:

https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor- code-and-committee/honor-code.

**Reading Assignments**

Per ABA Standard 310, it is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

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| **Assignment** | **Topic** | **Reading** |
| **Part I: Owning Property** |
| 1 | Introduction | Part I, 218-266 |
| 3 | Personal property | 5-24 |
| 4 | Personal property | 24-40 |
| 5 | Real property | 40-63 |
| 6 | Real property | 63-88 |
| 7 | Intellectual property | 88-125 |
| 8 | Intellectual property  | 125-150 |
| 9 | Intangible property | 150-172 |
| 10 | Intangible property | 172-192 |
| 11 | Case Study | 192-218 |
| **Part II: Dividing Property** |
| 12 | Concurrent interests | Part II, 4-27 |
| 13 | Marital property | 27-52 |
| 14 | Estates in land | 57-81 |
| 15 | Leases | 81-117 |
| 16 | Tenants’ Rights | 117-144 |
| 17 | Easements | 144-169 |
| 18 | Bailments and Liens | 169-193 |
| **Part III: Transferring Property** |
| 19 | Voluntary transfers | Part III, 4-47 |
| 20 | Adverse possession | 49-82 |
| 21 | Accession and Eminent Domain | 82-116 |
| 22 | Recording Acts | 116-139 |
| 23 | Mortgages | 139-183 |
| **Part IV: Regulating Property** |
| 24 | Nuisance | Part IV, 4-24 |
| 25 | Restrictive covenants | 24-57 |
| 26 | Zoning | 57-81 |
| 27 | Zoning | 81-102 |
| 28 | Zoning | 102-118 |
| 29 | Constitutional Limits | 118-152 |

**Online Course Evaluation Process**

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.