

Property Law
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
FALL 2024 SYLLABUS – LAW 5400 (LAW 7805) – 4 CREDIT HOURS

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CLASS MEETING TIME: Monday/Tuesday/Wednesday – 1:45 PM – 3:00 PM

CLASS LOCATION: [MLAC 210](#) (Martin Levin Advocacy Center)

OFFICE HOURS: there are two sets of possibilities, *Fixed* or *Flexible*-

1) *Fixed*: Monday 11am-noon (in-person meetings) and Thursday 5-6pm (via Zoom link in Canvas).

2) *Flexible*: If neither of these times work for you, and you want to meet, please email me and we will setup an appointment.

COURSE DESCRIPTION AND OBJECTIVES:

This is an introduction to property law that should give you a greater understanding of 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.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

- demonstrate that they can efficiently read and analyze property law cases and draw conclusions about the state of the law from them,
- participate in class conversations and assessments about complex property law principles,
- articulate the competing sides to common property law issues and advocate for a particular side,
- explain how American legal rules and doctrines are products of societal, economic, political, and historical developments,
- write well organized answers to essay questions that summarize the relevant legal issue, state and explain the appropriate legal rules, provide a thorough analysis of the facts to issue / rules, and then articulate an appropriate conclusion that considers the totality of the circumstances to convince a reader that a particular course of action should result,
- provide a written outline and plan to further study property law that might be used when formally preparing for the Multistate Bar-Examination (MBE) as is typically a part of formal bar licensure.

REQUIRED READING MATERIALS:

[Sprankling, Coletta, and Salcido's Property: A Contemporary Approach, 6th \(Interactive Casebook Series\)](#)

Please ensure that you purchase the CasebookPLUS series of this textbook, or if buying a used textbook you purchase the CasebookPlus Learning Library. It is essential that you ensure you have registered with a West Academic account and have online access to the numerous multiple-choice questions from the textbook manufacturer to help facilitate your learning. These online questions will be a part of your progress assessments throughout the course.

NB: Before the first day of class, be sure to register/login for this Canvas course at [UF eLearning](#), create a [West Academic account](#) (using the same email address that is in Canvas), create an [iClicker account](#) (using the same email as is in Canvas) and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page, and the e-mail account connected to the page, each day for any class announcements or adjustments. Additional instructions will be provided during the first week of class on how these technologies will be integrated into our class.

COURSE EXPECTATIONS AND GRADING EVALUATION:

- 1) Midterm Exam -10% of course grade**
- 2) Attendance and Class Participation - 10% of course**
- 3) Final Exam – 75% of course grade**
- 4) Final Course Outline and Reflection Paper – 5% of course grade**

Students will be evaluated based upon the following:

1) Midterm Exam – 10% of course grade

Approximately half-way through the course (possibly somewhere around Week 7), there will be a two-hour long exam that will consist of multiple-choice questions and a traditional issue spotter essay. This will be a proctored and closed book exam. You will be required to use software and process designated by the law school when taking the exam. Please get help from Student Affairs and UF IT for any technology issues.

Like a traditional bar exam communication with anyone during or after the exam will be prohibited and will violate the Honor Code (the only exception is if you need to contact Student Affairs or UF IT because of technical issues or some exceptional circumstance). Use during the exam of AI tools, such as ChatGPT, outlines, textbooks, etc. is prohibited and will also violate the Honor Code. Violation of any specific exam rules will be deemed an Honor Code violation. Any violation of these rules or the Honor Code will result in an automatic failing of the course. These violations will also be reported to any Bar regulating or licensure authorities, including any character and fitness evaluations they conduct.

2) Attendance and Class Participation – 10% of course grade

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. Students are also expected to treat

each other with respect at all times. You are required to attend during regular class times. Attendance will be taken each day and spot checks for attendance may be taken, including through the use of technology such as iClicker. Students are expected to be prepared to respond to questions about the assigned problems and reading.

If you experience a personal difficulty that impacts your ability to participate in and attend class, please talk to someone. If you are not comfortable talking with me, please reach out to Student Affairs, which includes Mental Health Counselor Ritzy Ettinger on its team. If you are in need of an accommodation, please see “Accommodations and Disability Resource Center” section of this syllabus.

A few of our regularly scheduled class sessions will be held through asynchronous lectures. The dates we will not meet will be announced as the semester progresses. You will be responsible for completing assigned asynchronous lectures and related quizzes as part of your participation and attendance grade. If we have a guest speaker who is participating virtually, the class may be held virtually to facilitate interactions with the guest.

Throughout the semester those students who have demonstrated excellent attendance and class participation may receive extra points in the Attendance and Class Participation category. For every class in which you attend I expect you to actively participate in class discussions – volunteering information - and verbally respond to cold-calls when you are asked to. This area will be graded based on the quality of the effort.

Students will also need to login to iClicker each class and maintain that program open and uninterrupted throughout the entire length of the class, and answer multiple questions within that system during class. Students will have assigned multiple choice quizzes due each week of class. If they are done prior to the Canvas indicated deadline, students will receive participation points for completing them. These areas of evaluation will be graded as a pass-fail basis. However, it is essential to successfully completing this course to take every assignment seriously, independently, and evaluate your strengths and weakness in learning this material.

NB: A student who fails to meet the attendance requirement listed below in “CLASS ATTENDANCE POLICY” will be dropped from the course and they will not be allowed to attend or participate in class, take any exams, and will have to re-enroll in a subsequent semester. The law school’s policy on attendance can be found [here](#).

3) Final Exam – 75% of course grade

At a time to be determined during UF Law Exam Period (December 4-17, 2024), there will be a four-hour long exam that will consist of multiple-choice questions and a series of traditional issue spotter essays. This will be a proctored and closed book exam. You will be required to use any software and process designated by the law school when taking the exam. Please get help from Student Affairs and UF IT for any technology issues.

Like a traditional bar exam communication with anyone during or after the exam will be prohibited and will violate the Honor Code (the only exception is if you need to contact Student Affairs or UF IT because of technical issues, some exceptional circumstance). Use during the exam of AI tools, such as ChatGPT, outlines, textbooks, etc. is prohibited and will also violate the Honor Code. Violation of any specific exam rules will be deemed an Honor Code violation. Any violation of these rules or the Honor

Code will result in an automatic failing of the course. These violations will also be reported to any Bar regulating or licensure authorities, including any character and fitness evaluations they conduct.

4) Final Course Outline and Reflection Paper- 5% of course grade

As part of this course is to better prepare you for your eventual formal bar prep study, and likely taking the multistate bar exam, part of your course grade will reflect this.

After the final exam, and before December 17th, 2024, you will submit an original 2-page, single spaced, reflection paper stating what you have learned from this course, what your strengths and weaknesses are with the material, and what steps you plan to implement when you are formally preparing for your property law bar examination study program. As part of this submission, you will attach your independently created outline (at least 10-pages single-spaced pages in length) you made for this property course. These assignments will be graded as a pass-fail basis. However, it is essential to successfully completing this course to take these assignments seriously, independently, and evaluate what your strengths and weakness are in learning this material. I suspect many of you will have created this outline before you have taken the final exam, although recall the final exam is closed book and you will not be able to refer to an outline during the exam.

Use of AI tools, such as ChatGPT, other outlines, or other's work, is prohibited and will also violate the Honor Code. Any violation of these rules or the Honor Code will result in an automatic failing of the course. These violations will also be reported to any Bar regulating or licensure authorities, including any character and fitness evaluations they conduct.

CLASS ATTENDANCE POLICY:

Attendance and punctuality in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed up to three unexcused absences during the course of the semester, before automatically being dropped from the course.

Excused absences are only allowed with proper written documentation (at the instructor's discretion) and proof submitted to the instructor for the following reasons - Acceptable reasons for absence from or failure to engage in class include illness; Title IX-related situations; serious accidents or emergencies affecting the student, their roommates, or their family; special curricular requirements (e.g., judging trips, field trips, professional conferences); military obligation; severe weather conditions that prevent class participation; religious holidays; participation in official university activities (e.g., music performances, athletic competition, debate); and court-imposed legal obligations (e.g., jury duty or subpoena). Other reasons (e.g., a job interview or club activity) may be deemed acceptable if approved by the instructor. With any excused absence, if needed, I will communicate with you about a reasonable deadline for making up any required worked or alternative assignments.

Students are responsible for ensuring that they are not recorded as absent if they come in late. If a student arrives more than 5 minutes past the start of the course, they will be deemed absent for that class. Although the student is still allowed and encouraged to attend the class, they will not receive attendance credit.

NB: A student who fails to meet the attendance requirement will be dropped from the course and they will not be allowed to attend or participate in class, take any exams, and will have to enroll in a subsequent semester. The law school's policy on attendance can be found [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.

NB: There will be no authorized use of any artificial intelligence in this course at all – including, but not limited to any assignments, quizzes, exams, papers, or any other assessments.

INFORMATION ON UF LAW GRADING POLICIES:

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

The law school grading policy is available [here](#). Note that the mandatory mean does not apply to LL.M. students.

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.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found [here](#).

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES:

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

STUDENT COURSE EVALUATIONS:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students [here](#). **Complete student anonymity is preserved during and after the evaluation process. Moreover, I will not even begin to review these evaluations until after all final grades are submitted.**

RECORDINGS OF CLASS:

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 guest 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 and Student Conduct Code.

NB: The law school no longer makes video recordings of classes. Therefore, there will be no recordings of any live in-person classes posted in Canvas. Any personal recording made above should not be shared except as outlined above. This means for example that you are prohibited from sharing any personal recording with peers who might have missed a class.

ABA OUT-OF-CLASS HOURS REQUIREMENTS:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. This course is a 4-credit semester course and as such the ABA requires a minimum of 60 hours of in class time and 120 hours spent outside of class. That means that each weekly in-person class is approximately 4 hours in length, requiring at least **8 additional hours of outside of class preparation** including reading the assigned materials, taking appropriate quizzes, preparing for in-class discussions/cold calls and the Socratic method of instruction.

NB: the class will frequent engage in a “flipped classroom” format, where you as a student will be required to demonstrate and teach a small portion of what you learned to others in the classroom. This is the level of preparedness you should expect to meet.

COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS:

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change. The selection of class topics and page numbers assigned may be adjusted to reflect the pace of class discussion and any new legal developments. Canvas will provide the updated assignments and reading pages for class 1-2 weeks in advance.

Students are required to read all pages within a particular chapter, even though we may not be able to fully cover them in class.

A list of reading assignments for the semester will be available and updated regularly on Canvas. Before the first week of class please complete the following:

Week 1: Introduction to Property – Chapter 1

Day 1 – 08/19/24 – read pages 1-24

Day 2 – 08/20/24 – read pages 24-63

Day 3 – 08/21/24 – read pages 63-88

ADDITIONAL RESOURCES

HEALTH AND WELLNESS RESOURCES:

Your mental and emotional health are important. Here are some important resources of which you should be aware:

U Matter, We Care: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.

Counseling and Wellness Center: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.

Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).

University Police Department: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).

UF Health Shands Emergency Room / Trauma Center: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).

OTHER CONCERNS AND BASIC NEEDS ASSISTANCE:

Any student who has difficulty accessing sufficient food, lacks a safe place to live, or is in need of any other help is encouraged to contact the [Office of Student Affairs](#). You can also email them at Student.svc@law.ufl.edu or call them at 352-273-0620.

ANY TECHNOLOGY ISSUES:

Any student with technology or computer issues should contact the resources below:

UF Law IT – they can be contacted at [UF LAW Technology Support Services](#)

or

UF Help Desk – can be contacted via [UF MAIN CAMPUS Information Technology](#) or email at helpdesk@ufl.edu or call them at 352-392-4357.