Welcome to Property! This syllabus will provide you with important information about our course meeting times, how to contact me, and a partial schedule of assignments. Please note that this syllabus and the included schedule are subject to change. I will do my best to notify you of any changes well in advance of their assigned date. If you have any questions about the syllabus or the course, please contact me.

Reaching the instructor. My office is Room 1010. My regular office hours during the Spring 2017 semester are Tuesdays and Thursdays from 3:30 to 4:45 p.m. I am also happy to meet with you at a mutually convenient time outside my posted office hours. Please email me (or my assistant) if you would like to schedule a time to meet. Or just drop by if you see me in my office. If I have time, I would be happy to speak with you.

My office phone number is 410-837-5979 and my e-mail is nram@ubalt.edu. My assistant, Shavaun O’Brien, can be reached at 410-837-4635 and sobrien@ubalt.edu; her office is located in Room 1112.

Law Scholar. We will have a law scholar for this course, who will conduct review and skills sessions each week (times for sessions to be determined). Note that the law scholar is an additional resource for you but is not a graded or required part of the course. Nonetheless, I strongly encourage you to attend these sessions.

Class meetings. Except as otherwise announced, we will meet every Tuesday and Thursday from 1:30 to 3:20 p.m. We are currently scheduled to meet in Room 803, but please double check this room assignment before our first class, as rooms tend to get shuffled around as the term begins.

Course description. Possession and adverse possession; estates in land and future interests; landlord and tenant; concurrent tenancies; easements, covenants, and servitudes; rights incident to ownership of land; conveyancing; title guarantees and recording acts.


I may occasionally assign or provide supplemental materials. If so, these will be distributed via TWEN (see TWEN website, infra).

A partial list of reading assignments for the semester appears below. This schedule will be expanded and may be otherwise modified as the semester progresses. Although the final exam will focus primarily on subjects and materials we have discussed in class, you are responsible for all material in the assigned readings, including material we have not covered in class.
**TWEN website.** Please be sure to register for the course’s TWEN website. Occasional handouts and other materials may be distributed via TWEN, and I generally use TWEN to communicate with the class as a whole.

**Student learning outcomes.** By the end of the semester, a successful student will be able to: (1) state the legal elements, claims, and defenses relevant to covered property topics (e.g., adverse possession, present and future interests, covenants running with the land); (2) identify relevant facts used to reach a correct result; (3) identify available legal claims and defenses arising out of complex factual scenarios; (4) construct arguments using the facts to demonstrate that the elements of claims or defenses are satisfied; (5) assess the strength of claims or defenses.

**Class attendance policy.** Regular class attendance is required and necessary to succeed in this course. Please keep the following in mind with regard to attendance. Pursuant to ABA and School of Law policy, each student will be allowed a maximum of five (5) absences during the semester. Any student with more than five absences will not be permitted to sit for the final exam. Except as required by law or by School of Law or University policy, I will not excuse absences, regardless of the reason.

I will monitor attendance by means of a sign-in sheet circulated at the beginning of class each day. If you do not sign in, you will not be counted as present. If you have not signed in when the attendance sheet is collected, it may count as an absence. Late arrivals to class are disruptive and unprofessional. **Persistent late arrivals** to class may be counted as an absence at my discretion.

**Class Cancellation.** If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule. In addition, should I need to cancel a class meeting, I will inform you either in a prior class meeting, by email, or both.

**Class participation and professionalism.** Learning cannot effectively take place in an environment that is unprofessional or uncivil. I expect that you will observe basic professional courtesies. Students should arrive on time and not leave the room other than in an emergency, turn off or silence cell phones, and stay off the internet during class. On the first day of class, I will ask you to complete a seating chart. Thereafter, students should sit in seats according to the seating chart. Among other things, this will help me learn your names.

In addition, I expect that you will come to class prepared to participate, and that you will respect your classmates’ viewpoints. Please keep in mind that the purpose of law school is to explore ideas, even if those ideas seem outrageous at first blush. To that end, I expect that you will give due respect to your classmates and the thoughts they express in class. On the other hand, when speaking in class please attempt to make your comments thoughtful and keep them on-point.

*Property, Spring 2018*
If you have not been able to prepare for class on a particular day, please let me know before class begins and I will not call on you that day. You will, however, receive only ONE (1) such pass this semester. If you are present and have not taken a pass for the day, I will assume you are prepared to participate fully. If you are called on and are not prepared, I will mark you as absent for that day, because in my view being “present” involves more than just being physically in your seat; it also involves being mentally present.

I may (and will) take class participation and professionalism into account in determining your final grade. Law school policy permits me to raise grades by one “step” (e.g., from “B” to “B+”) for superior class participation. I expect to make use of that policy. Conversely, the policy permits me to lower grades one “step” for poor participation. While I do not expect to grade based on non-participation, I may (and will) lower grades for lack of preparation or for unprofessional conduct in class (e.g., booing, hissing, or insulting your classmates).

Finally, students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another’s book or study materials without consent; unapproved multiple submissions; material misrepresentation of one’s academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. See School of Law Honor Code, https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm.

**Grading.** Your final grade in the course will be based on two components: a midterm exam and a final exam.

- **Midterm exam (25% of final grade):** Your midterm exam will consist of questions based on materials covered up through the class immediately preceding the exam. If we fall behind on the syllabus, the scope of materials tested on the midterm exam will be adjusted accordingly. The midterm exam will be limited-source. The source you are allowed is a single, one-page “cheat sheet,” which must comply with the following restrictions: (a) the sheet cannot be larger than 8.5 inches by 11 inches, (b) if you decide to use a “cheat sheet,” you must turn it in with your answer and exam (you will be able to get it back after the exam has been graded).

- **Final exam (75% of final grade):** Your final exam will be conducted according to the schedule set by the Records Office. The final exam most likely will consist of a mix of multiple-choice, short-answer, and essay questions. Like the midterm exam, the final exam will be limited-source. The source you are allowed is a single, one-page “cheat sheet,” which must comply with the following restrictions: (a) the sheet cannot be larger than 8.5 inches by 11 inches, (b) if you decide to use a “cheat sheet,” you must turn it in with your answer and exam (you will be able to get it back after the exam has been graded). Please note that you may not exceed one sheet of paper for your final exam “cheat sheet,” regardless of what you may have included on an earlier sheet for the midterm exam.

*Property, Spring 2018*
You may use a laptop with the required exam software to write your answers for both the midterm and final exams, and I encourage you to do so. We will discuss the midterm and final exams in greater detail as they approach.

In addition, as set forth above, your final grade may be impacted by excessive absences (more than five) and/or your classroom participation and professionalism (or lack thereof).

Title IX Sexual Harassment and Sexual Misconduct Policy. The University of Baltimore’s Sexual Harassment and Sexual Misconduct policies are compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the University any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at: http://www.ubalt.edu/titleix.

Disability accommodations. If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director of Student Services at 410-837-5623 or via email at lmetzger@ubalt.edu.

(Partial) Schedule of Assignments

- Page numbers are from the Dukeminier casebook. There will be times (particularly at the beginning of the term) when we will not get through an entire assignment in a single class period. This is by design and to be expected. For each class, you are responsible for any leftover material from a prior class in addition to the new assignment listed on the syllabus, unless explicitly instructed otherwise.
- Other materials not included in the Dukeminier casebook be made available on the course TWEN website.

WHAT IS PROPERTY? THEORIES OF PROPERTY; ACQUISITION OF PROPERTY

Class 1: Theories of Property; Acquisition by Discovery/Conquest/Capture
34-37; 3-22; 27-34

Class 2: The Right to Exclude; What can be Property?
37-44; 62-75

Class 3: Acquisition by Find; Acquisition by Adverse Possession
103-113; 114-123 (through Problem 1)

Class 4: More on Adverse Possession
123-143

Class 5: Acquisition by Gift
143-159

Property, Spring 2018
THE ESTATE SYSTEM

Basic Estates
Class 6: History; Fee Simple; Life Estate
161-180

Class 7: Defeasible Estates
180-192

Future Interests
Class 8: Reversion; Possibility of Reverter; Remainders; Executory Interests
193-207

Class 9: Future interests cont.
No additional reading

CONCURRENT INTERESTS
Class 10: Co-Ownership
223-230; 230-231 (skim); 232-251

LEASEHOLDS
Class 11: Lease; Delivery; Subleases & Assignments
264-285

Class 12: Subleases & Assignments Cont.; Default
285-306

Class 13: Duties, Rights & Remedies
306-328

**********

Second Part of the Syllabus to be Distributed Later