

AALS PROPERTY LAW SECTION

DECEMBER 2016 NEWSLETTER

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A NOTE FROM THE CHAIR

by Ezra Rosser, American University, Washington College of Law

I look forward to seeing you at this year's AALS Property Section program. We have a great group of scholars speaking for this year's program, "Property and the Challenge of Housing Affordability," which is co-sponsored by the State and Local Government Law and Poverty Law Sections. It will take place 1:30-3:15 pm on Thursday, Jan. 5, 2017. The speakers are:

- Eduardo Penalver (Cornell) – Moderator
- Lisa Alexander (Texas A&M): Zoning Tiny Homes to Combat Homelessness
- Courtney Anderson (Georgia State): You Can't Afford to Live Here
- Nestor Davidson (Fordham): Rethinking the Planning/Affordable Housing Nexus in an Era of Big Data

-Steve Eagle (George Mason): Reflections on the Revolution in Affordable Housing

-Paul Boudreaux (Stetson): Suburban Infill: A Market and Demographic Approach to Housing Affordability in the 21st Century

I would also like to thank the Fordham Urban Law Journal which agreed to publish articles from this panel as well as response essays. We also have a second program, "Property Law Works in Progress," which will take place 3:30-4:45 pm on Wednesday, Jan. 4, 2017.

I especially want to thank this year's Chair-Elect, Donald Kochan, for his help with this panel. The speakers are below:

-Donald Kochan (Chapman) – Moderator

-Gregory Ablavsky (Stanford): The Rise of Federal Title

-Molly Brady (UVA): The Damagings Clause

-Vanessa Casado Pérez (Texas A&M): There Is No



Ezra Rosser

Such Thing as Private Parking

-John Infranca (Suffolk): The Right to Property and/or Religious Freedom as Foundational Rights

-Thomas E. Simmons (South Dakota): Homestead Laws

We hope to see you at both programs and I hope that your winter holiday has been great!

Cheers,
Ezra

P.S. Please join me in thanking this year's Secretary, Priya Gupta, for her work on this newsletter.

AALS PROPERTY-RELATED PROGRAMS OF NOTE

Please see page 3

2016 AALS PROPERTY LAW SECTION OFFICERS

Chair

Ezra Rosser

*American University
Washington College of Law*
erosser@wcl.american.edu

Chair-Elect

Donald J. Kochan

*Chapman University
Dale E. Fowler School of Law*
kochan@chapman.edu

Secretary

Priya S. Gupta

Southwestern Law School
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Treasurer

Stephen Clowney

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Executive Committee

Natalie M. Banta

Valparaiso University Law School

Kristen Barnes

University of Akron School of Law

Brigham Daniels

BYU J. Reuben Clark Law School

Jacqueline P. Hand

*University of Detroit Mercy
School of Law*

John Infranca

Suffolk University Law School

Tim Mulvaney

Texas A&M School of Law

Sarah Schindler

University of Maine School of Law

Lua K. Yuille

University of Kansas School of Law

A NOTE FROM THE CHAIR-ELECT:

*by Donald Kochan, Chapman University, Dale E. Fowler
School of Law*



We all owe great thanks to Ezra Rosser for his leadership as chair this past year and Priya Gupta for her hard work putting together this newsletter. Thank you both!

I am very excited to work with members of the Property Section in developing programming for the 2018 meeting, including our section panel, breakfast, and continuing what I hope will be a new tradition focusing a works-in-progress program on exciting work selected from the vibrant and talented junior faculty members in our section.

I hope that many of you will be interested in getting involved in helping to organize and plan next year's section work and programming. I welcome suggestions for our panel topic (including any ideas on potential co-sponsorship with other sections), speakers, and the format for programming.

If anyone has a journal at their school that might want to publish panel papers, I would also be pleased to hear about that possible way to expand the impact of our programming. Finally, if there are ways that our section can better serve the property community throughout the year—not just when we gather next January—I welcome your advice on expanding such service. If you'd like to be involved with the section's work in any way or have any suggestions on these topics, please email me at kochan@chapman.edu. I wish you all the best. And, I look forward to seeing you in San Francisco in January 2017 and at various events throughout the upcoming year.



AALS PROPERTY-RELATED PROGRAMS OF NOTE

Section on Property Law: Property Law Works in Progress **Wednesday, January 4**

3:30 pm – 4:45 pm
Golden Gate 6, Lobby Level, Hilton

Section on Property Law Breakfast **Thursday, January 5**

7 am – 8:30 am
Golden Gate 7, Lobby Level, Hilton

Section on Real Estate Transactions **Thursday, January 5**

8:30 am – 10:15 am
Continental Parlor 8, Ballroom Level, Hilton
Keeping the “Real” World in Real Estate Transactions: New Ideas, Practices, and Partnership Opportunities to Strengthen Teaching and Scholarship

Section on Property Law, Co-Sponsored by State and Local Government Law and Poverty Law

Thursday, January 5
1:30 pm – 3:15 pm
Continental Parlor 9, Ballroom Level, Hilton
Property and the Challenge of Housing Affordability

The problem of housing affordability strikes at the heart of the property law. Although it can be argued that housing affordability is a social problem separate from the edifice of property law, the choices that are made on everything from zoning to societal expectations regarding housing quality directly impact the extent to which individuals and families are either priced out of safe and decent housing or face mounting housing costs that limit their ability to meet other basic needs. Especially as demand has shifted back from many suburbs to urban areas in high growth cities such as San Francisco and Washington, D.C., the problem of housing affordability is sure to be the focus of ever more social, political, and academic attention. The papers presented as part of this panel will be published by the *Fordham Urban Law Journal* and cover a range of topics related to “Property and the Challenge of Housing Affordability.”

PROPERTY BLOGS

Property - Generally

Property Prof Blog
<http://lawprofessors.typepad.com/property>

Property Law Developments
<http://blogs.law.harvard.edu/jsinger/>

Property Rights Forum
<http://blog.rumrelllaw.com/propertyrights>

Inverse Condemnation
<http://www.inversecondemnation.com/>

Intellectual Property

Intellectual Property Blog: Up-to-Date Information on Intellectual Property Law
<http://www.intellectualpropertylawblog.com>

Trademark and Copyright Law
<http://www.trademarkandcopyrightlawblog.com>

The Intellectual Property, Media & Entertainment Law
<http://iplj.net/blog/>

Real Property

Law of the Land - A Blog on Land Use and Zoning
<http://lawoftheland.wordpress.com>

Real Property Law Section Blog
<http://nysbar.com/blogs/RPLS>

Land Use Prof Blog
http://lawprofessors.typepad.com/land_use

Other Property-Related Topics

Cultural Property and Archaeology Law
<http://culturalpropertylaw.wordpress.com/>

Environmental Law Prof Blog
http://lawprofessors.typepad.com/environmental_law/

Legal Planet: Environmental Law and Policy
<http://legalplanet.wordpress.com/>

ANNOUNCEMENTS

February 1, 2017, Nicole Stelle Garnett, John P. Murphy Foundation Professor of Law at the University of Notre Dame, will be giving the FSU Distinguished Land Use and Environmental Law Lecture. Her lecture will be open to the public and all are invited.

On **March 24, 2017**, FSU Law School will be hosting a conference, “**Municipal Utilities and Cooperatives: Transitioning to a Lower-Carbon Future.**” The conference, also open to the public, is co-sponsored with the University of North Carolina School of Law, Center for Climate, Energy, Environment and Economics. Conference panelists will include chief executive officers, attorneys, NGOs, academics, and other officials from munis, co-ops, joint municipal utilities, and associations of municipal utilities in California, Colorado, Florida, Massachusetts, Missouri, Ohio, Texas, Utah, and Virginia. This conference will address the challenges and opportunities that municipally-owned electric utilities (“munis”) and electric co-operatives have faced as they have transitioned to lower-carbon sources of electricity.

It will explore these entities’ replacement of certain coal-fired power plants with solar, wind, nuclear, and other types of plants; provision of “green” buying choices to electricity customers; construction of renewable energy-powered and small nuclear plants; contracts for purchasing lower-carbon electricity; and implementation of energy efficiency and rooftop solar programs, among other projects. Further, panelists will discuss the costs of this transition, such as stranded investments in coal-fired power plants that are decommissioned before the end of their useful life and the difficulty of being locked into long-term purchase agreements for conventional, higher-carbon electricity. Panelists also will explore the opportunities and benefits of the transition, including, for example, declining costs of renewable power and increased customer support for “greener” alternatives. Finally, one panel will address municipalities that do not own their own electric utilities but have attempted to move toward lower-carbon power by, for example, implementing their own energy efficiency initiatives and installing solar technology on city buildings.

**AALS Annual Meeting
San Francisco
January 3 -7, 2017**

**Property Section
Co-Sponsored Program
Thursday, Jan. 5, 2017
1:30-3:15 pm**

Speakers

Eduardo Penalver (Cornell) -
Moderator

Lisa Alexander (Texas A&M):
Zoning Tiny Homes to Combat
Homelessness

Courtney Anderson (Georgia State):
You Can't Afford to Live Here

Nestor Davidson (Fordham):
Rethinking the Planning/ Affordable
Housing Nexus in an Era of Big
Data

Steve Eagle (George Mason):
Reflections on the Revolution in
Affordable Housing

Paul Boudreaux (Stetson):
Suburban Infill: A Market and
Demographic Approach to Housing
Affordability in the 21st Century

The Association for Law, Property and Society

The 8th Annual Meeting of the Association for Law, Property and Society (ALPS)
will be held on
May 19-20, 2017
at
The University of Michigan

The Association for Law, Property and Society (ALPS) is a membership organization for scholars doing interdisciplinary legal scholarship on all aspects of property law and policy including: real, personal, intellectual, intangible, cultural, personal and other forms of property. ALPS seeks to encourage dialogue across and among people in many disciplines that are interested in property, law, policy and theory. The ALPS annual meeting offers an unrivalled opportunity to experience the breadth of world-class scholarship in these fields, and meet property teachers and researchers from around the globe. For more information on ALPS, visit www.alps.syr.edu/.

RECENT SCHOLARSHIP BY SECTION MEMBERS

Compiled by Priya S. Gupta, Southwestern Law School

We have had quite a year for publishing! Please enjoy the following list of books, journal articles, book chapters, and similar material submitted by Section members and published within the past year.

In addition, I thought we might start compiling a list of **Twitter** handles for those who tweet about property. Feel free to email your twitter handle to me (psgupta@swlaw.edu) or send me a tweet (@priyagupta) by January 15, 2017, and I'll start tweeting groups of Property folks to follow with the hashtag #PropertyProfes.



Priya S. Gupta

Ahmad, Nadia

Barry University, Dwayne O. Andreas School of Law

- *Blood Biofuels*, 60 DUKE ENVTL. L. & POL'Y FORUM __ (2017)
- *The Baseline Bar*, 60 KANSAS L. REV. __ (2017)
- *A Primer: Air and Water Environmental Quality Standards in the United States*, 40 WM. & MARY ENVTL. L. & POL'Y REV. 115 (2016) (with Jason Czarnecki and Siu Tip Lam)
- *Financial Incentives for Wetland Protection and Restoration* in THE WETLAND BOOK: STRUCTURE AND FUNCTIONS, MANAGEMENT AND METHODS (Springer) (2016)
- *Monsoons, Hydropower, and Climate Justice in Pakistan's River Communities* in CLIMATE JUSTICE: CASE STUDIES IN GLOBAL AND REGIONAL GOVERNANCE CHALLENGES (Environmental Law Institute) (2016)
- *Resolving Natural Resource Conflicts as a Path to Peace* in LAWYERS AS CHANGE MAKERS: THE EMERGENCE OF THE INTERNATIONAL INTEGRATIVE LAW MOVEMENT (American Bar Association) (forthcoming 2017)

Banta, Natalie

Valparaiso University Law School

- *Death and Privacy in the Digital Age*, 94 N.C. L. Rev. 927 (2016)

Barnes, Kristen

University of Akron School of Law

- *Breaking the Cycle: Countering Voter Initiatives and the Underrepresentation of Racial Minorities in the Political Process*, 12 DUKE J. CONST. L. & PUB. POL'Y (forthcoming 2017)
- *Reconfiguring Property Theory and Legal Rules in the Sharing Economy*, Blog Post published on the Jotwell – Journal of Things We Like (Lots): Property Blog (2016) <http://property.jotwell.com>

Benton Brown, Ronald & Joseph M. Grohman

Nova Southeastern University, Shepard Broad College of Law

- *Letters of Intent: There Ought To Be A Law, A Uniform Law!*, 45 REAL ESTATE L. J. 370-408 (Winter 2016)

Beyer, Gerry W.

Texas Tech University School of Law

- BEYER'S TEXAS PROPERTY CODE ANNOTATED (2016 ed.)
- *Puff, the Magic Dragon, and the Estate Planner*, TEX. A&M J. PROP. L. 1 (2016) (co-authored with Brooke Dacus)
- *Estate Planning Ramifications of Obergefell v. Hodges*, EST. PLAN. DEV. FOR TEX PROF., July 2016, at 1
- *Target Best Practices for Guns Included In an Estate*, EST. PLAN., Mar. 2016, at 25
- *Weed Through Estate Planning Issues Involving Marijuana*, EST. PLAN., July 2016, at 35 (co-authored with Brooke Dacus)
- *Joint Wills and Pot Trusts: Marijuana and the Estate Planner*, EST. PLAN. STUD., Apr. 2016, at 1 (co-authored with Brooke Dacus)

Brady, Maureen

University of Virginia School of Law

- *Property's Ceiling: State Courts and the Expansion of Takings Clause Property*, 102 VA. L. REV. 1167 (2016)
- *The Lost "Effects" of the Fourth Amendment: Giving Personal Property Due Protection*, 125 YALE L.J. 946 (2016)

Bronin, Sara C.

University of Connecticut School of Law

- RATHKOPF'S THE LAW OF ZONING AND PLANNING, with Dwight H. Merriam (2014-present)

Bronin, Sara C. (cont'd)

- *Land Use Regulation*, with Eduardo Peñalver & Stewart Sterk (2d ed. 2016)
- “Solar Rights in the United States” in *Delivering Energy Policy in the EU and US: A Multi-disciplinary Reader* (Raphael Heffron & Gavin Little, eds.) (2016)

Brown, Carol N.

University of Richmond School of Law

- *Justice Thomas’s Kelo Dissent: The Perilous and Political Nature of Public Purpose*, 23 GEO. MASON L. REV. 273 (2016)
- EXPERIENCING HOUSING LAW, West Academic Publishing (2016)
- *On the Twenty-Fifth Anniversary of Lucas: Making or Breaking the Takings Claim*, __ IOWA L. REV. __ (Forthcoming 2017)

Callies, David

University of Hawai’I William S. Richardson School of Law

- *Regulation of Hydraulic Fracturing*, 49 JOHN MARSHALL L. REV. __, (2016)
- *GMO Regulation*, 38 ZONING AND PLANNING LAW REPORT VOL. 38 ISSUE 10 (Nov. 2015)
- *Housing Discrimination under the Fair Housing Act after Inclusive Communities* (with Derek Simon), 3 JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW __ (2016)
- (with Mandelker and Hylton) *Property Law and the Public Interest* (4th edition 2016)
- (with Freilich and Saxer) *Cases and Materials on Land Use* (7th edition, 2017)

Chused, Richard

New York Law School

- GENDERED LAW IN AMERICAN HISTORY (Carolina Academic Press 2016) (with Professor Wendy W. Williams)
- *Appropriate(d) Moments*, 26 FORDHAM INTELL. PROP., MEDIA & ENT. L. J. 103 (2015)

Circo, Carl

University of Arkansas School of Law

- *Interpreting Stale Preferential Rights to Acquire Real Estate: Beyond the Restatement of Property*, 62 VILL. L. REV. __ (forthcoming, 2017)
- *Preferential Purchase Rights in Practice and Theory*, CEB REAL EST. L. REP., September 2016, at 108 (lead article)

Circo, Carl (cont'd)

- ARKANSAS CONSTRUCTION LAW HANDBOOK (Carl J. Circo, lead editor, David M. Powell & John Dewey Watson co-eds., 2016)

Stephen Clowney, James Grimmelmann, Michael Grynberg, Jeremy Sheff, and Rebecca Tushnet

- *Open-Source Property: A Free Casebook* (Clowney, Grimmelmann, Grynberg, Sheff, & Tushnet eds., 2016), available at www.opensourceproperty.org

Davidson, Nestor

Fordham University, School of Law

- *Affordable Housing Law and Policy in an Era of Big Data*, 44 FORDHAM URB. L. J. (forthcoming 2017)
- *Localist Administrative Law*, 126 YALE L.J. (forthcoming 2017)
- *The Place of Flourishing Families*, 43 FORDHAM URB. L. J. (forthcoming 2016) (with Clare Huntington)
- *Resetting the Baseline of Ownership: Takings and Investor Expectations After the Bailouts*, 75 MARYLAND L. REV. 722 (2016)
- *The Sharing Economy as an Urban Phenomenon*, 34 YALE L. & POL’Y REV. (2016) (with John Infranca)
- Department of Housing and Urban Development v. Rucker: *Public Housing as Housing of Last Resort*, in THE POVERTY LAW CANON: EXPLORING THE MAJOR CASES (Marie Failinger & Ezra Rosser eds., Univ. of Michigan Press 2016)
- LAW BETWEEN BUILDINGS: EMERGENT GLOBAL PERSPECTIVES ON URBAN LAW (2016) (co-editor, with Nisha Mistry)
- *Property, Wellbeing, and Home: Positive Psychology and Property Law’s Foundations*, in THE PRECARIOUS HOME: SOCIO-LEGAL PERSPECTIVES ON THE HOME IN INSECURE TIMES (forthcoming Hart Publishing 2017)
- *The Urban in Law*, in DEFINING THE URBAN: PERSPECTIVES ACROSS THE ACADEMIC DISCIPLINES AND PROFESSIONAL FIELDS (forthcoming Routledge 2017)

Eagle, Steven J.

George Mason University, Antonin Scalia Law School

- *2015 Supplement to Regulatory Takings, Fifth Ed.* (New York: Lexis Publishing 2012).
- *Advancing Judicial Review of Wetlands and Property Rights Determinations: U.S. Army Corps of Engineers v. Hawkes*, 2015–16 CATO SUPREME COURT REVIEW 257–77 (2016)
- *Conflation, Intractability and Affordable Housing*, 44 FORDHAM URBAN LAW JOURNAL (forthcoming 2017)
- *Property Rights After Horne*, 10 NYU JOURNAL OF LAW & LIBERTY (forthcoming 2016)

Fennell, Lee Anne

University of Chicago Law School

- *Searching for Fair Housing*, 97 B.U. L. REV. (forthcoming 2017)
- *Fee Simple Obsolete*, 91 N.Y.U. L. REV. (forthcoming 2016)
- (with Richard H. McAdams) *The Distributive Deficit in Law and Economics*, 100 MINN. L. REV. 1051 (2016)
- *Because and Effect: Another Take on Inclusive Communities*, 68 STAN. L. REV. ONLINE 85 (2016), <https://www.stanfordlawreview.org/online/because-and-effect/> (response to Noah D. Zatz, *The Many Meanings of “Because of”*: A Comment on Inclusive Communities Project, 68 STAN. L. REV. ONLINE 68 (2015))

Foster, Sheila R.

Fordham University School of Law

- *The City as a Commons*, 34 YALE LAW AND POLICY REVIEW 281 (2016) (with Christian Iaione)
- *Urban Commons, Property and the Right to the City* in PROPERTY FROM BELOW: COMMODIFICATION OF LAND AND THE COUNTER-MOVEMENT (Balakrishnan Rajagopal and Olivier De Schutter, eds) (Forthcoming Routledge 2017)
- *Vulnerability, Equality and Environmental Justice* in HANDBOOK OF ENVIRONMENTAL JUSTICE (eds. Jayajit Chakraborty and Gordon Walker) (forthcoming Routledge 2017)
- *Human Rights and Climate Change: Building Synergies for a Common Future* in THE CLIMATE LAW ENCYCLOPEDIA (eds. Daniel Farber and Marjan Peeters) (2016) (with Paolo Galizzi)

Gupta, Priya S.

Southwestern Law School

- *From Statesmen to Technocrats to Financiers: Development Agents in the Third World*, in Luis Eslava, Michael Fakhri & Vasuki Nesiah (eds) BANDUNG AT SIXTY: CRITICAL PASTS AND PENDING FUTURES (Cambridge University Press, in press)
- *Transnational Property*, in Peer Zumbansen (ed.) OXFORD HANDBOOK OF TRANSNATIONAL LAW (Oxford University Press, forthcoming 2017)

Iglesias, Tim

University of San Francisco School of Law

- *Inclusionary Zoning Affirmed: California Building Industry Association v. City of San Jose*, 24 JOURNAL OF AFFORDABLE HOUSING & COMMUNITY DEVELOPMENT LAW 409 (Spring 2016)
- *Response to Urban Policy and Families: How Concerns about Order Contribute to Familial Disorder*, 2015 FORDHAM URBAN LAW JOURNAL COOPER-WALSH COLLOQUIUM “Flourishing Families in Context: A New Lens for Urban Law (forthcoming 2016)
- *A Novel Tool for Teaching Property: Starting with the Questions*, CHAPMAN LAW REVIEW (forthcoming 2017)
- *Affordable Housing, Fair Housing and Community Development: Joined at the Hip, We Need to Learn to Walk Together*, JOURNAL OF AFFORDABLE HOUSING & COMMUNITY DEVELOPMENT LAW (forthcoming 2017)
- *Two Competing Concepts of Residential Integration*, book chapter in Social Equity in a Time of Change: A Critical 21st Century Social Movement (Birkdale Publishing, February, 2017)

Infranca, John

Suffolk University Law School

- *The Sharing Economy as an Urban Phenomenon* (with Nestor Davidson), 34 YALE L. & POL’Y REV. 215 (2016)
- *Intermediary Institutions and the Sharing Economy*, 90 TULANE. L. REV. ONLINE 29 (2016) (solicited response to Rashmi Dyal-Chand, *Regulating Sharing: The Sharing Economy as an Alternative Capitalist System*, 90 TULANE L. REV. 241 (2015))

Klein, Christine A.

University of Florida Levin College of Law

- *Property: Cases, Problems and Skills* (Aspen 2016). Sample chapter available [here](#), and more information available [here](#)

Kochan, Donald J.

Chapman University Dale E. Fowler School of Law

- [*I Share, Therefore It's Mine*](#), 51 UNIVERSITY OF RICHMOND LAW REVIEW __ (forthcoming 2017).
- [*Deeds and the Determinacy Norm: Insights from Brandt and Other Cases on an Undesignated, Yet Ever-Present, Interpretive Method*](#), 43 FLORIDA STATE UNIVERSITY LAW REVIEW 793 (2016).
- [*Incumbent Landscapes, Disruptive Uses: Perspectives on Marijuana-Related Land Use Control*](#), 3 TEXAS A&M JOURNAL OF PROPERTY LAW 35 (2016) (symposium).
- [*Virtual Liquid Networks and Other Guiding Principles for Optimizing Future Student-Edited Law Review Platforms*](#), 32 TOURO LAW REVIEW 263 (2016) (Associate Deans Symposium).

Lazerow, Herbert

University of San Diego School of Law

- *Mastering Art Law* (Carolina Academic Press 2015)
- *Art Resale Royalty Options*, 63 JOURNAL OF THE COPYRIGHT SOCIETY OF THE USA 201 (2016)

Malloy, Robin Paul

Syracuse University, College of Law

- *Law, Markets, and Marketization*, Vol. 2 THE UNIVERSITY OF BOLOGNA LAW REVIEW (Italy); Fall 2016.
- (with Spencer and Crane), *Land Use Law and Sidewalk Requirements Under the Americans with Disabilities Act*, 51 REAL PROPERTY, TRUST & ESTATE LAW JOURNAL No. 3 (Winter 2017).
- (with James C. Smith) REAL ESTATE TRANSACTIONS 5th Edition (Kluwer 2017).

McArdle, Andrea

City University of New York School of Law

- *Challenges to Achieving New York City's Affordable Housing Goals: Reconciling Mandatory Inclusionary Housing, Community Preference Requirements, and Fair Housing Laws*, XLIII 43 FORDHAM URB. L.J. CITY SQUARE 1 (2016) (online companion) (invited)

McArdle, Andrea (cont'd)

- *Justice Scalia and the Fair Housing Act: A Textualist Approach Honed in Oral Argument*, Blog Post published on the OXFORD HUMAN RIGHTS HUB, <http://ohrh.law.ox.ac.uk/justice-scalia-and-the-fair-housing-act-a-textualist-approach-honed-in-oral-argument/> (March 2016) (invited)
- *Winfield v. City of New York: Testing the Limits of Disparate-Impact Liability after Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*, 24 J. AFFORDABLE HOUSING & COMM. DEVELOP. L. 287 (2015) (Special Issue on Racial Justice)
- *[Re]Integrating Community Space: The Legal and Social Meanings of Reclaiming Abandoned Space in New York's Lower East Side*, 2 SAVANNAH L. REV. 247 (2015)

Odinot, Christopher

Southern University Law Center

- *BitProperty and Commercial Credit*, WASHINGTON UNIVERSITY LAW REVIEW (forthcoming Spring 2017)
- *Of Progressive Property and Public Debt*, WAKE FOREST LAW REVIEW (forthcoming Fall 2016)
- *The Unfinished Business of Dodd-Frank: Reforming the Mortgage Contract*, 68 SMU LAW REVIEW (forthcoming Fall 2016)
- *Gay Marriage and the Problem of Property*, 93 WASHINGTON UNIVERSITY LAW REVIEW 847 (2016) (commentaries essay with Andrea B. Carroll)
- *Community Collateral: Security Rights in Common Interest Community Declarations*, PROBATE & PROPERTY (July/August 2016) (with Randy P. Roussel).
- *Regulating Debt Collection*, REVIEW OF BANKING & FINANCIAL LAW (forthcoming 2016) (with Roederick White, Sr.)
- *Fiscal Policy and Urban Growth Challenges: U.S. Perspectives on Property Tax Reform in Warsaw*, 61 STUDIA IURIDICA (2016)
- *Secured Credit: Louisiana and American Perspectives* (Wolters Kluwer 2016) (with Randy Trahan, Dian Tooley-Knoblett, and David Cromwell)

Orth, John V.

University of North Carolina School of Law

- *Recent Developments in North Carolina Property Law: Where's the North Carolina Supreme Court?*, forthcoming in *The North Carolina Law Review*
- (with Charlie Xiao-chuan Weng and Paul T Babie) *The Honoré-Waldron Thesis: A Comparison of the American, Australian and Chinese Balance Of Ideal-Typic Categories Of Property In Land*, forthcoming in the *Tulane Law Review*.

Owley, Jessica

University at Buffalo Law School

- (with Federico Cheever) *Enhancing Conservation Options: An Argument for Statutory Recognition of Options to Purchase Conservation Easements (OPCEs)*, 40 HARV. ENVTL. L. REV. 1-45 (2016)
- (with Adena Rissman) *Trends in Private Land Conservation: Increasing Complexity, Shifting Conservation Purposes and Allowable Private Land Uses*, 51 LAND USE POL'Y 76-84 (2016)
- (with David Takacs) *Flexible Conservation in Uncertain Times* in CONTEMPORARY ISSUES IN CLIMATE CHANGE LAW AND POLICY: ESSAYS INSPIRED BY THE IPCC 65-104 (Robin Kundis Craig & Stephen R. Miller eds. 2016)

Reiss, David

Brooklyn Law School

- [Ensuring Homeownership Is Sustainable](#), 22 Westlaw J. 6 (2016)
- [Sloppy, Sloppy, Sloppy: The State of the Mortgage Market](#), 39 Cal. Real Prop. L. Rep. 60 (2016)
- [The Federal Housing Administration \(FHA\) and Private Mortgage Insurance \(PMI\): A Bibliography](#) (2016)
- Federal Housing Finance Agency, [Update on Implementation of the Single Security and the Common Securitization Platform Comment Letter](#) (August 29, 2016)
- Federal Financial Institutions Examination Council, [Comment Letter on Uniform Interagency Consumer Compliance Rating System](#) (July 5, 2016) (Docket # FFIEC-2016-0001)
- Consumer Financial Protection Bureau, [Collection Activities Comment Letter](#) (April 14, 2016) (Docket Number CFPB-2016-0011)
- Federal Housing Finance Agency [Duty to Serve Comment Letter](#) (March 17, 2016) (Comments/RIN 2590-AA27)

Riley, Angela R. & Kristen Carpenter

UCLA School of Law | University of Colorado Law School

- *Owning Red: A Theory of (Indian) Cultural Appropriation*, 84 TEX. L. REV. 959 (2016)

Ross Saxer, Shelley

Pepperdine School of Law

- *When Local Government Misbehaves*, 2016 UTAH L. REV. 105
- *Land Use*, American Casebook Series, Thomson West (forthcoming 7th Ed.) (with David L. Callies & Robert H. Freilich)

Rosser, Ezra

American University, Washington College of Law

- [THE POVERTY LAW CANON: EXPLORING THE MAJOR CASES](#) (Marie Failingler & Ezra Rosser eds., Univ. of Michigan Press, 2016)

Rothstein, Laura

University of Louisville, Louis D. Brandeis School of Law

- *How Genetics Might Affect Real Property Rights*, 41 J. LAW, MEDICINE & ETHICS 44 (2016) (with Mark Rothstein)

Ryan, Erin

Florida State University, College of Law

- [Secession and Federalism in the United States: Tools for Managing Regional Conflict in a Pluralist Society](#), in THE WAYS OF FEDERALISM IN WESTERN COUNTRIES AND THE HORIZONS OF TERRITORIAL AUTONOMY IN SPAIN, VOL. 2 (Alberto López Basaguren, ed., Springer, forthcoming 2017)
- [Federalism, Regulatory Architecture, and the Clean Water Rule: Seeking Consensus on the Waters of the United States](#), 46 ENVTL. L. 277 (2016)
- [The Clean Power Plan, The Supreme Court, and Irreparable Harm](#), AMERICAN CONSTITUTION SOCIETY BLOG, Feb. 16, 2016; THE HUFFINGTON POST, Feb. 18, 2016; ENVTL. LAW PROF BLOG, Feb. 18, 2016
- *Multilevel Environmental Governance in the United States*, ENVIRONMENTAL SCIENCE, Fall 2016

Schwabach, Aaron

Thomas Jefferson School of Law

- “Fan Works and the Law,” in The Palgrave Handbook of Popular Fiction (Ken Gelder ed., Palgrave Macmillan, forthcoming 2016)
- “Legal Issues in Online Fan Fiction,” in The Routledge Companion on Media Education, Copyright and Fair Use (Renee Hobbs ed., Routledge, forthcoming 2016)

Shoemaker, Jessica A.

University of Nebraska College of Law

- [Emulsified Property](#), 43 PEPP. L. REV. 945 (2016)
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