THURSDAY – May 1st

4:00-6:00  Property Law & the City Field Trip (registered participants only)
Vanier Park to Granville Island

6:00-8:00  Welcome Reception & Registration
Whet Kitchen Bar Patio, 1517 Anderson Street, Granville Island

FRIDAY – May 2nd

All events at UBC LAW at Allard Hall.

8:00  Registration & Breakfast  (1st Floor Lobby)

8:30  Welcome  (Franklin Lew Forum)
Elder Larry Grant, Musqueam First Nation
ALPS President Benjamin Barros
Local Host Committee Chair Douglas Harris

9:00-10:30  Panel Session 1

1.1  Risky Land Use, Climate Change, and Disaster Justice  (123)
Moderator:  Uma Outka
Sean Hecht, “Impossible Dream: Balancing Community Resilience, Financial Soundness, and Equity in the National Flood Insurance Program”
Blake Hudson, “Land Use Planning Along the Gulf: When Two Environmental Protection Policies Collide, Which Precautionary Principle Do You Use?”
Christine Klein, “Mississippi River Tragedies: A Century of Unnatural Disaster”
Alice Kaswan, “Seven Principles for Equitable Climate Adaptation”

1.2  Conservation Easements: A Grand Experiment  (122)
Moderator:  Susan Bright
Federico Cheever, “Conservation Easements on the Landscape”
Nancy McLaughlin, “Conservation Easements: Are We Getting Our Money’s Worth?”
Buzz Thompson, “Private Land Conservation in the Face of Climate Change: A California Case Study”
1.3 **Local Dwelling: Tacit and Explicit Exclusions**

Moderator: Hari Osofsky

Sarah Schindler, “Architectural Exclusion”

Tim Iglesias, “Judicial Framing of Inclusionary Zoning”

Priya Gupta, “Law’s Inscription of Race and Gender in the Regulation of Housing Spaces: A Crisis Foretold”

Jordan Stanger-Ross, “Suspect Properties: The Decision to Dispossess Japanese Canadians, WWII”

1.4 **Theorizing Property**

Moderator: Robin Hickey

David Lametti, “Why Pluralist Theories of Property Still Need a Definition of Property”


James Stern, “The Essential Structure of Property Law”

1.5 **Ownership, Indigeneity, and Race**

Moderator: Lua Yuille

Chris Albinati, “Aboriginal Blockades and the Rule of Law: Acknowledging the Paradigm of Struggle”

Jessica Place, “Bracketing Property: The Ownership Model at ‘Work’ on Matrimonial Real Property on Reserve”

Kali Murray, “Intellectual Property and Identity: Race, Genetics, Equality and the Costs of Commodification”

10:30-10:45 **Morning Break**

10:45-12:15 **Panel Session 2**

2.1 **Takings, Regulation, and Revocation: Government Powers and Private Property Rights**

Moderator: Matthew Festa

Shelley Saxer, “Controlling Abuse of Power in Land Use Regulation”

Timothy Mulvaney, “Progressive Property Moving Forward”

LaVonda N. Reed, “Taking the Underground Railroad: Eminent Domain and Other Methods of Preserving a Significant Period of American History”
2.2 **Boundaries, Outsiders, and Violence**

Moderator: Stephen Clowney

Jill Fraley, “The Law of Property Boundaries before Mapping”

James Kelly, “‘That Side was made for you and me’: Unauthorized Use of Vacant Property in Inner City Neighborhoods”

Robin Hickey, “Defending Property: Self-Help Remedies, the Use of Force, and the Concept of a Property Right”

Abraham Bell, “Title in the Shadow of Possession”

2.3 **Social Justice and Housing**

Moderator: Tim Iglesias

Helen Carr, “Housing, Health and Risk: How Small is too Small for City Centre Accommodation”

Margot Young, “The Housing Justice Project”

Christopher Bevan, “The Rhetoric of Localism: The Localism Act 2011 and the Localist Agenda in Social Housing Allocation: Mixed Messages and Missed Opportunities”

Nicholas Hopkins and Emma Laurie, “Regulation of the Home and Social Policy Objectives: An Assessment of Legitimacy”

2.4 **Indigenous Peoples and Land Titles**

Moderator: Maureen Tehan

Olivier Courtemanche, “Indigenous Claims of Private Lands: A Pluralist Vision of Remedies Offered to Indigenous Peoples”

Leon Terrill, “The Invisible Hand? Clarifying the Role of Government in Aboriginal Land Tenure Reform”

Jessica Shoemaker, “The Land Tenure We Inhabit”

2.5 **Real Estate Transactions in the Wake of the Mortgage Crisis**

Moderator: Alison Clarke

Alisa Levin, “Lions, Tigers, Options, Rights and Bears: The Real Property Scary Truth about Future Interests”

Robin Paul Malloy, “Property Development Lawyers as Market Entrepreneurs”

Lisa Whitehouse, “The Legal Conception of the Mortgagor: Landowner or Consumer?”

Julie Webb, “The Survival of Ownership under Leverage”

12:15-1:45 **Conference Plenary Session & Lunch**

(Franklin Lew Forum)

“The Systemic Marginality of Property”

Andre Van der Walt
1:45-3:15  Panel Session 3

3.1 Local Government Law: Substance and Structure  (123)
Moderator: Deborah Curran

Nestor Davidson, “The Administrative City-State: Administrative Law in the Local Government Context”

Kenneth Stahl, “Mobility and Community in Urban Policy”

Ashira Ostrow, “Weighted Voting in Municipal Elections”

3.2 Evolving Geographies of Energy Transition  (122)
Moderator: Hannah Wiseman

Hari Osofsky, “Rethinking the Geography of Local Climate Action: Metroregional and Suburban Strategies”


Uma Outka, “Intrastate Preemption in the Shifting Energy Sector”

3.3 Private Rights and Public Responsibilities  (121)
Moderator: Margot Young

Benjamin Davy, “Cores and Floors: Human Dignity and Private Property”

Justin Steil, “Property, Sovereignty, and Migration”

Bernie Jones, “Memorial Gardens: Developing Greater Protections Under the Law?”

3.4 Land Reform and Indigenous Peoples  (114)
Moderator: David Yarrow


Shelley Cavalieri, “Grounding Land Reform”

Margaret Stephenson and Maureen Tehan, “Indigenous Lands: Can and Should Indigenous Land Titles be Incorporated into Land Registration Systems?”

3.5 Transgenerational Property  (111)
Moderator: Nancy McLaughlin

Andrew Buck, “The English Inheritance: Primogeniture and Power in British Settler Societies”

Andrew Hayward, “Ownership Disputes Over the Family Home in England and Wales: The Case for ‘Structured’ Judicial Discretion”

Eric Kades, “The New Feudalism”
3:15-3:30  Afternoon Break

3:30-5:00  Panel Session 4

4.1  Property and Sovereignty in Early America  (123)
    Moderator:  Priya S. Gupta

Maureen Brady, “Community Knowledge and its Collapse: History of an Early American Property Regime”

Roman Hoyos, “Property in the Origins of American Constitutionalism”

Anne Lombard, “Property and the Contested State in Eighteenth Century Pennsylvania”

4.2  Maintaining the Local Community: Economic, Educational, and Civic Aspects  (122)
    Moderator:  Lucy Finchett-Maddock

Marc Poirier, “Beach Community Protection versus Property Rights: Harvey Cedars v. Karan and the Perilous Property Owner”

Ngai Pindell, “Casinos, Local Communities, and Local Governments”

Jacqueline Hand, “Urban Agriculture and the Importance of Scale”

Nicholas Blomley, “The Right Not to be Excluded: Urban Commons, Liberty and Property”

4.3  Property Rights in Natural Resources  (121)
    Moderator:  Patricia Farnese

John Page, “Property and Ecosystem Services”

Yael Lifshitz Goldberg, “Rethinking our Renewables: Who Owns the Wind?”

Fergus McDonnell, “Private Property and Public Fisheries on the Douglas Lake Cattle Ranch”

4.4  Aboriginal Title, Land Titles, and Treaties  (114)
    Moderator:  Bernie Jones

Sharon Mascher and Jonnette Watson Hamilton, “The Nature of Indefeasibility in Canadian Land Titles System”

David Yarrow, “Canadian Aboriginal Title and the Judicial Preoccupation with Physical Occupation”

Neil Vallance, “Do the Vancouver Island (also known as the Douglas) Treaties of 1850 to 1854 Contain Surrenders of Land”

4.5  Book Panel: Peter Gerhart’s Property Law and Social Morality  (111)
    Moderator:  Kristen Barnes

Participants:  Larissa Katz, Joseph Singer, Laura Underkuffler, Peter Gerhart

5:00-7:00  Conference Reception  (1st Floor Lobby)

5:45-6:45  ALPS Board Meeting  (415)
SATURDAY – May 3rd
All events at UBC LAW at Allard Hall.

7:30-8:45  Canadian Property Breakfast (registered participants) (4th Floor Terrace)
Sponsored by Windsor Law and UBC|LAW

8:15-8:45  Registration & Breakfast  (1st Floor Lobby)

8:45-10:15  Panel Session 5

5.1  The Upside of Unauthorized Use  (123)
Moderator:  David Fagundes
Eric Claey, “No Room for Quarrel: On the Relation Between Property Laws and Social Norms in Labor Theory”
David Fagundes, “Efficient Theft”
Deepa Varadarajan, “Trade Secret Fair Use”

5.2  Trusts as Social DNA: How Trust Law Shapes Society an Replicates Existing Power Relations  (122)
Moderator:  William LaPiana
Kent Schenkel, “American Trust Law and the Facilitation of Wealth Disparity: A Structural Critique”
Casey Ross-Petherick, “Indian Land Trusts and the Restrictions on Indian Testamentary Freedom”
Carla Spivack, “Trusts under Civil Law: Different Policies, Different Laws”

5.3  Eminent Domain and Regulatory Takings  (121)
Moderator:  Asmara Tekle
Anneke Smit, “Expropriation and Socio-Economically Depressed Neighbourhoods in Canada”
Kellen Zale, “The Government’s Right to Destroy”

5.4  Co-Ownership and Co-Possession  (114)
Moderator:  Alisa Levin
Sally Brown Richardson, “A Comparative Analysis of the Protections Against Waste”
Nancy Wright, “The Laphroaig Leasehold: Popular Interpretations of Feudal Tenures”
Sue-Mari Viljoen, “The Nature of the Landlord-Tenant Relationship – A Comparison of Recent Developments”
Helen Carr, “Shared Ownership: Crisis Moments”
5.5 Regulating Environmental Externalities

Moderator: John Page

Celeste Hammond, “The Evolving Role for Transactional Attorneys Responding to Client Needs in Adapting to Climate Change”

Andrew Long, “Complex Environmental Challenges and Concepts of Property”


10:15-10:30 Morning Break

10:30-12:00 Panel Session 6

6.1 Energy and Property

Moderator: Hari Osofsky

Ashira Ostrow, “Grid Governance: Interstate Networks in a Federal System”

Lincoln Davies, “Feed-in Tariffs in Turmoil”

Hannah Wiseman, “Allocating Energy Governance”


6.2 Changing Property Rights in Water

Moderator: Jerrold Long


Burke Griggs, “Beyond Natural Drought: Groundwater Rights in the Age of Permanent Depletion”

6.3 The Social and Cultural Functions of Intellectual Property

Moderator: Kali Murray

Sas Ansari, “Rethinking the Nature of Incorporeal Properties in International Taxation – A Theory of Removable and Non-Removable Incorporeal Properties”

Graham Reynolds, “Copyright and Dignity”

John Tehranian, “The New Censorship”

Mark Bartholomew, “The Political Economy of Celebrity Property Rights: Tales from the U.S. and Canada”
6.4 **Defining the Scope of Property Rights**
Moderator: Eric Claey

Wian Erlank, “Property Rights in Space: Moving the Goal Posts so the Players don’t Notice”

Sjef van Erp, “The Tragedy of Hierarchy”

David Dana and Nadav Shoked, “Public, By Necessity”

6.5 **Urban and Regional Planning and Zoning**
Moderator: Nestor Davidson

Andrew Ainsworth and Edward Sullivan, “Regional Problem Solving in Action: Lessons from the Greater Bear Creek Valley RPS Process”

Josh Blackman, “Popular Zoning in the Unzoned City”


Christopher Odinet, “Special Taxing Districts, Super-Liens, and Mortgage Meltdowns”

12:00-1:30 **Conference Plenary Session & Lunch**

“Titles of Nobility: Poverty, Immigration & Property in a Free & Democratic Society”

Joseph Singer

1:30-3:00 **Panel Session 7**

7.1 **Property Through the Lens of Relational Contract Theory I**
Moderator: Sarah Blandy

Susan Bright, “Property through the Lens of Relational Contract Theory Explained”

Nicholas Hopkins and Sarah Nield, “Mortgage Credit Through the Lens of Relational Theory”

Alison Clarke, “Mortgages, Relational Contract Theory and Alienability”

7.2 **The Nexus of Physical and Intellectual Property**
Moderator: David Fagundes

Brian L. Frye, “Watergate & the Historiography of the Presidency”

Aaron Perzanowski, “Reconciling Intellectual & Personal Property”

Christina Mulligan, “Disfavoring Personal Property Servitudes: Lessons for Intellectual Property and the Internet of Things”

7.3 **Roundtable – New Battlegrounds in Local Property Taxation: From Universities to Retirement Homes to Conservation Land Owned by Land Trusts**

Participants: Jessica Owley, Federico Cheever, Nancy McLaughlin
7.4 Property within and beyond Condominium
Moderator: Felix Hoehn
Guy Patterson and Douglas Harris, “Bare Land Condominium: Desirable Private Zoning or Technology of Exclusion?”
Nicole Gilewicz and Douglas Harris, “Dissolving Condominium: Castles and Investments and Private Expropriation”
Jason Leslie, “Property Values and Modern Home Ownership: Condos and their Alternatives”

7.5 Valuing Land & Property
Moderator: Robin Malloy
Bruce Ziff, “Scorched Earth: The Use of Restrictive Covenants to Stifle Competition”
Bruce Huber, “The Fair Market Value of Public Natural Resources”
Sarah McCalla, “A Legal Gamble Lost: The Role of Local Residents Associations in Municipal Development”
Arthur Green, “The Agricultural Land Reserve as a Propertied Landscape”

3:00-3:15 Afternoon Break

3:15-4:45 Panel Session 8

8.1 Property Through the Lens of Relational Contract Theory II
Moderator: Nicholas Hopkins
Sarah Blandy, “Residential Leases and Relational Contract Theory”
James Smith, “Servitudes as Relational Contracts”
Susan Bright, “Commercial Leases and RCT”

8.2 Intellectual Property and Human Rights
Moderator: Graham Reynolds
Mikhaliien du Bois, “Protection of Intellectual Property Rights as Fundamental Human Rights in International Law”
Samuel Murumba, “Conflict-Resolution at the Human Rights/Intellectual Property Intersection”
Shaw-Wu Jung, “Copyrighting Ethnicity? The Intertwinement of Culture, Identity and Globalization”
8.3 Property and Personhood  (121)
Moderator: Christina Mulligan

Lorna Fox O’Mahony, “Property’s People”
Lua Yuille, “Corporations, Property & Personhood”
Deidré Keller, “Property and Persons: Some Preliminary Thoughts on Inherent Inalienability”
Kara Swanson, “Property in the Body in Law & Society: A Historical Approach”

8.4 Planning for Community Welfare  (114)
Moderator: Benjamin Davy

Lucy Finchett-Maddock, “Theories of Property Stream – Enacting Entropic Realty”
Amelia Thorpe and Estair Van Wagner, “Towards Relational Land Use Regulation? Framing a Research Agenda for Property and Place in Planning Law”
Celeste Pagano, “Spaces for Dissent”
Asmara Tekle, “The Art of Infrastructure”

4:45-5:45 Closing Plenary Session  (Franklin Lew Forum)
“The Pedagogy of Property”

Participants:
Benjamin Barros
Nestor Davidson
John Lovett
Shelley Saxer
Joseph Singer
Anneke Smit
Bruce Ziff

5:45 Conference Closing Reception  (4th Floor Terrace)