



Lateral and Subjacent Support

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Primary entitlements associated (at common law) with ownership of land

- Privilege to Use and Improve
 - Right of Quiet Enjoyment
 - **Right to Lateral and Subjacent Support**
 - Right to Exclude
 - Privilege to use water on or under the land
- } Law of nuisance governs the tension between these



US Law

- Strict liability for withdrawal of lateral support of land in its natural condition
- No liability for withdrawal of lateral support of land that has been altered from its natural condition in the absence of negligence (failure to exercise due care) or (in some jurisdictions) failure to give advance notice