

Practices & Industries

Real Estate Litigation

Overview

Our real estate litigation experience runs the gamut from administrative matters to hearings before local boards and agencies, trials before state and federal courts, and appeals. The group includes highly experienced trial attorneys and appellate advocates, with established track records of success in substantial matters for large privately owned corporations, Fortune 500 and 100 companies, developers, entrepreneurs, utilities, telecommunications carriers, municipal and public entities, and individuals.

Consistent with Day Pitney's client-focused approach, we partner with our clients in learning their business to maximize results consistent with their business objectives. Our experience allows us to think creatively in connection with settlements and in alternative dispute resolution settings.

Experience

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.

- Representation of developers who either experienced a denial of their zoning application, or who received an approval of the zoning application only to have the approval challenged by an objector
- Representation of developers in affordable housing litigation, such as builders' remedy suits, intervention in municipal declaratory judgment actions and similar proceedings
- Sale of real property, including contract disputes, breach of contract, and consumer fraud and fraud in connection with sales
- Commercial lease disputes, including retail, office and ground leases, as well as commercial eviction and summary dispossession and ejectment actions
- Construction disputes and disputes involving construction contracts
- Land use and zoning disputes and appeals, including challenges to zoning ordinances and application denials under state law, as well as the Civil Rights Act of 1964 and similar state civil rights statutes, with particular experience with regard to telecommunications facilities under the Telecommunications Act of 1996 and denials of applications of religious organizations under the Religious Land Use and Institutionalized Persons Act (RLUIPA)
- Title disputes, including quiet title, deed restrictions, easement disputes and encroachments, adverse possession, and deed defects
- Disputes centered upon the use or occupancy of real property, typically sounding in nuisance, ejectment and other similar causes of action
- Public and private beach access rights claims

- Condemnation, eminent domain, and prerogative writ and mandamus actions
- Real property assessment appeals and contests, and tax foreclosures
- Property tax exemptions and appeals
- Riparian rights and deeds, and farmland assessments and rollbacks
- Disputes regarding the valuation of real property and/or real property interests
- Utility easements, rights of way and property nuisance claims