
Real Estate Dispute Resolution Methods

Litigation Process

A to Z List of Real Estate Dispute Resolution Methods

Absolute Title is a term used in real estate to describe a title that is free from any defects or encumbrances, it is an important concept in the litigation process

Acceleration Clause refers to a provision in a contract that requires the borrower to pay the entire amount due if they default on a payment, this is often seen in mortgage agreements and can be a point of contention in real estate disputes

Acknowledgment is a statement that a person has signed a document voluntarily, in the context of real estate, this can be crucial in establishing the authenticity of a contract or agreement

Action to Quiet Title is a lawsuit that is brought to determine the ownership of a property, this is often necessary in cases where there are conflicting claims to a property

Adjudication is the process of making a decision or judgment in a dispute, in real estate, this can involve a neutral third party making a binding decision

Administrative Regulation is a rule or guideline that is established by a government agency to regulate a particular industry or activity, in real estate, this can include regulations related to zoning or land use

Adverse Possession is a doctrine that allows a person to gain ownership of a property if they have possessed it in a way that is hostile to the true owner's rights, this can be a complex and contentious issue in real estate disputes

Affidavit is a sworn statement that is made under oath, in the context of real estate, this can be used to establish the authenticity of a document or the truth of a particular statement

Agency is a relationship between two parties where one party represents the other in a particular matter, in real estate, this can include the relationship between a broker and their client

Agent is a person who represents another person or entity in a particular matter, in real estate, this can include brokers, attorneys, or other professionals

Amendment is a change or modification to a contract or agreement, in the context of real estate, this can be necessary to reflect changes in the terms of a deal

Appeal is a request to a higher authority to review a decision that has been made, in real estate, this can involve appealing a decision made by a lower court or regulatory body

Appraisal is an estimate of the value of a property, in the context of real estate, this can be used to determine the worth of a property for the purposes of a sale or loan

Appraiser is a person who is qualified to estimate the value of a property, in real estate, this can include professionals who have specialized training and expertise

Arbitration is a process of resolving a dispute through the use of a neutral third party, in real estate, this can be a faster and less expensive alternative to litigation

Attachment is a legal process that allows a creditor to seize a debtor's assets, in the context of real estate,

this can include the attachment of a property to satisfy a debt

Attorney is a person who is qualified to practice law, in real estate, this can include professionals who specialize in real estate law and can provide advice and representation to clients

Breach of Contract is a violation of the terms of a contract, in the context of real estate, this can include the failure to make payments or perform other obligations

Broker is a person who represents buyers and sellers in real estate transactions, in the context of real estate, this can include professionals who are licensed to practice in a particular state or region

Buyer is a person who is purchasing a property, in real estate, this can include individuals, companies, or other entities

Buyer's Agent is a person who represents the buyer in a real estate transaction, in the context of real estate, this can include professionals who are licensed to practice in a particular state or region

Buyer's Broker is a person who represents the buyer in a real estate transaction, in the context of real estate, this can include professionals who are licensed to practice in a particular state or region

Certificate of Title is a document that verifies the ownership of a property, in the context of real estate, this can be an important piece of evidence in disputes over ownership

Chattel is a type of personal property that can be moved, in the context of real estate, this can include items such as furniture or appliances

Civil Lawsuit is a lawsuit that is brought to enforce a right or to redress a wrong, in real estate, this can include disputes over contracts, property ownership, or other issues

Clear Title is a title that is free from any defects or encumbrances, in the context of real estate, this can be an important factor in determining the value of a property

Closing is the process of finalizing a real estate transaction, in the context of real estate, this can include the transfer of ownership and the payment of any outstanding debts

Closing Costs are fees that are associated with the closing of a real estate transaction, in the context of real estate, this can include costs such as title insurance, appraisal fees, and attorney's fees

Co-Buyer is a person who is purchasing a property with another person, in real estate, this can include spouses, partners, or other individuals who are buying a property together

Commission is a fee that is paid to a broker or agent for their services, in the context of real estate, this can include a percentage of the sale price of a property

Common Law is a body of law that is based on custom and precedent, in real estate, this can include laws related to property ownership and disputes

Comparative Market Analysis is a report that is used to determine the value of a property, in the context of real estate, this can include an analysis of recent sales of similar properties

Condemnation is the process of taking a property for a public use, in real estate, this can include the use of eminent domain to acquire a property for a project such as a highway or public building

Condominium is a type of ownership where multiple owners share a common interest in a property, in real estate, this can include buildings or complexes where owners have a shared interest in common areas

Consent Decree is a judgment that is entered into by agreement of the parties, in the context of real estate, this can include a settlement of a dispute over a property

Consideration is a bargained-for exchange that is required for a contract to be enforceable, in real estate, this can include the payment of money or the transfer of a property

Contingency is a condition that must be met before a contract can be enforced, in the context of real estate, this can include contingencies related to financing, inspections, or other factors

Contract is a binding agreement between two or more parties, in real estate, this can include agreements to buy or sell a property, or to provide services such as brokerage or appraisal

Contract for Deed is a type of contract where the seller finances the purchase of a property, in real estate, this can include agreements where the seller acts as the lender

Conveyance is the transfer of ownership of a property, in the context of real estate, this can include the transfer of a deed or other document that establishes ownership

Counterclaim is a claim that is made by a defendant against a plaintiff, in real estate, this can include a claim for damages or other relief

Counteroffer is a response to an offer that is made by a party, in the context of real estate, this can include a response to an offer to purchase a property

Court is a place where lawsuits are heard and decided, in real estate, this can include courts that specialize in real estate disputes or other matters

Covenant is a promise that is made in a deed or other document, in the context of real estate, this can include promises related to the use or maintenance of a property

Credit Report is a document that shows a person's credit history, in real estate, this can be used to determine the creditworthiness of a borrower

Damages are monies that are awarded to a party as compensation for a loss, in real estate, this can include damages for breach of contract or other wrongs

Debt Service is the amount of money that is required to pay the interest and principal on a loan, in real estate, this can include the monthly payments on a mortgage

Deed is a document that transfers the ownership of a property, in the context of real estate, this can include a warranty deed, quitclaim deed, or other type of deed

Deed of Trust is a document that secures a loan with a property, in real estate, this can include a deed of trust that is used to secure a mortgage

Default is a failure to perform an obligation under a contract, in real estate, this can include the failure to make payments on a loan or to maintain a property

Defendant is a person who is being sued in a lawsuit, in real estate, this can include a property owner, buyer, or seller

Deposition is a sworn testimony that is taken outside of court, in the context of real estate, this can be used to gather evidence or testimony from a witness

Disclosure is the act of providing information about a property, in real estate, this can include disclosures about the condition of a property or any known defects

Discovery is the process of exchanging information between parties in a lawsuit, in real estate, this can include the exchange of documents, testimony, or other evidence

Dispute is a conflict or disagreement between parties, in real estate, this can include disputes over contracts,

property ownership, or other issues

Divided Interest is a type of ownership where multiple owners have a shared interest in a property, in real estate, this can include tenancy in common or joint tenancy

Document is a written instrument that provides evidence of a fact or transaction, in the context of real estate, this can include deeds, contracts, or other documents

Easement is a right to use a property for a specific purpose, in real estate, this can include an easement for access, utilities, or other purposes

Encroachment is a type of trespass where a structure or object extends onto a neighboring property, in real estate, this can include an encroachment by a fence, building, or other structure

Encumbrance is a claim or lien that is placed on a property, in the context of real estate, this can include a mortgage, deed of trust, or other type of encumbrance

Equitable Title is a type of ownership that is based on equity rather than law, in real estate, this can include an equitable title that is established through a contract or agreement

Equity is the difference between the value of a property and the amount of any liens or encumbrances, in real estate, this can include the equity that a homeowner has in their property

Escrow is a process of holding documents or funds until conditions are met, in real estate, this can include an escrow account that is used to hold payments or documents

Estoppel is a doctrine that prevents a party from denying or asserting something that is inconsistent with a previous statement or action, in real estate, this can include an estoppel that prevents a seller from denying the existence of a contract

Eviction is the process of removing a tenant from a property, in real estate, this can include an eviction that is based on non-payment of rent or other breaches of a lease

Evidence is information that is presented in a lawsuit to prove a fact or claim, in real estate, this can include documents, testimony, or other types of evidence

Examination is the process of reviewing or inspecting a property or document, in real estate, this can include an examination of a property to determine its value or condition

Exception is a type of objection that is made to a ruling or decision, in the context of real estate, this can include an exception that is made to a court's ruling on a motion

Exclusive Agency Listing is a type of listing where the broker has the exclusive right to represent the seller, in real estate, this can include an exclusive agency listing that is used to sell a property

Execution is the act of carrying out a contract or agreement, in the context of real estate, this can include the execution of a deed or other document

Executor is a person who is appointed to carry out the instructions in a will, in real estate, this can include an executor who is responsible for managing a decedent's estate

Fair Market Value is the price that a property would sell for on the open market, in real estate, this can include the fair market value of a property that is used to determine its value for tax or other purposes

Fiduciary is a person who has a duty to act in the best interests of another person, in real estate, this can include a fiduciary who is responsible for managing a client's assets or interests

Financing is the process of obtaining money to purchase or refinance a property, in real estate, this can

include financing that is provided by a lender or other financial institution

Foreclosure is the process of taking a property away from a borrower who has defaulted on a loan, in real estate, this can include a foreclosure that is based on a mortgage or deed of trust

Fraud is a type of deception or misrepresentation that is used to cheat or defraud another person, in real estate, this can include fraud that is related to a property's value or condition

Good Faith is a concept that requires parties to act with honesty and fairness in their dealings with each other, in real estate, this can include good faith that is required in negotiations or contract formation

Guarantee is a promise to pay or perform if another party fails to do so, in real estate, this can include a guarantee that is provided by a lender or other financial institution

Hazard Insurance is a type of insurance that protects a property against loss or damage from hazards such as fire or theft, in real estate, this can include hazard insurance that is required by a lender

Home Inspection is a process of examining a property to identify any defects or problems, in real estate, this can include a home inspection that is used to determine the condition of a property

Homeowner's Association is a type of organization that is responsible for managing a development or community, in real estate, this can include a homeowner's association that is responsible for maintaining common areas or enforcing covenants

Injunction is a type of court order that requires a party to stop doing something or to take a specific action, in real estate, this can include an injunction that is used to prevent a party from selling a property

Inspection is the process of examining a property to identify any defects or problems, in real estate, this can include an inspection that is used to determine the condition of a property

Installment Sale is a type of sale where the seller finances the purchase of a property, in real estate, this can include an installment sale that is used to sell a property

Interest is the amount of money that is paid on a loan or investment, in real estate, this can include interest that is paid on a mortgage or other type of loan

Interpleader is a type of lawsuit that is brought to determine the rights of multiple parties to a property, in real estate, this can include an interpleader that is used to determine the rights of multiple parties to a property

Investment is the act of putting money into a property or business with the expectation of earning a return, in real estate, this can include an investment that is made in a property or development

Joint Tenancy is a type of ownership where multiple owners have a shared interest in a property, in real estate, this can include a joint tenancy that is created by a deed or other document

Judgment is a decision that is made by a court in a lawsuit, in real estate, this can include a judgment that is entered against a party who has defaulted on a loan or contract

Judicial Foreclosure is a type of foreclosure that is conducted through the court system, in real estate, this can include a judicial foreclosure that is used to take a property away from a borrower who has defaulted on a loan

Land Contract is a type of contract where the seller finances the purchase of a property, in real estate, this can include a land contract that is used to sell a property

Landlord is a person who owns a property and rents it to a tenant, in real estate, this can include a landlord

who is responsible for maintaining a property and collecting rent

Lease is a contract between a landlord and a tenant that grants the tenant the right to use a property for a specific period of time, in real estate, this can include a lease that is used to rent a property

Lender is a person or entity that provides financing for a property, in real estate, this can include a lender who provides a mortgage or other type of loan

Lessee is a person who rents a property from a landlord, in real estate, this can include a lessee who is responsible for paying rent and maintaining a property

Lessor is a person who rents a property to a tenant, in real estate, this can include a lessor who is responsible for maintaining a property and collecting rent

License is a permission that is granted by a government agency to engage in a specific activity, in real estate, this can include a license that is required to practice as a broker or agent

Lien is a claim that is placed on a property to secure a debt, in real estate, this can include a lien that is placed on a property to secure a mortgage or other type of loan

Limited Partnership is a type of partnership where one or more partners have limited liability, in real estate, this can include a limited partnership that is used to invest in a property or development

Listing is a contract between a broker and a seller that grants the broker the right to market and sell a property, in real estate, this can include a listing that is used to sell a property

Loan is a type of financing that is provided by a lender to a borrower, in real estate, this can include a loan that is used to purchase or refinance a property

Loan Commitment is a promise by a lender to provide financing for a property, in real estate, this can include a loan commitment that is used to secure financing for a property

Mediation is a process of resolving a dispute through the use of a neutral third party, in real estate, this can include mediation that is used to resolve a dispute over a contract or property

Mortgage is a type of loan that is secured by a property, in real estate, this can include a mortgage that is used to purchase or refinance a property

Mortgage Broker is a person who arranges financing for a property, in real estate, this can include a mortgage broker who is responsible for finding a lender and securing a loan

Mortgagee is a person who lends money to a borrower to purchase a property, in real estate, this can include a mortgagee who is responsible for collecting payments and enforcing the terms of a loan

Mortgagor is a person who borrows money to purchase a property, in real estate, this can include a mortgagor who is responsible for making payments and maintaining a property

Negligence is a type of carelessness or failure to act with reasonable care, in real estate, this can include negligence that is related to the maintenance or management of a property

Negotiation is the process of discussing and agreeing on the terms of a contract or agreement, in real estate, this can include negotiation that is used to reach a mutually acceptable agreement

Notice is a written communication that is provided to a party to inform them of a specific fact or circumstance, in real estate, this can include a notice that is provided to a tenant to inform them of a rent increase or other change

Notice of Default is a written communication that is provided to a borrower to inform them that they are in

default on a loan, in real estate, this can include a notice of default that is provided to a borrower who has missed payments

Option is a right to purchase a property at a specific price within a specific time period, in real estate, this can include an option that is granted to a buyer to purchase a property

Owner is a person who has title to a property, in real estate, this can include an owner who is responsible for maintaining a property and paying taxes

Partition is a process of dividing a property among multiple owners, in real estate, this can include a partition that is used to divide a property among multiple owners

Party is a person or entity that is involved in a lawsuit or dispute, in real estate, this can include a party who is a buyer, seller, landlord, or tenant

Performance is the act of carrying out a contract or agreement, in real estate, this can include performance that is required under a contract or agreement

Personal Property is a type of property that is moveable, in real estate, this can include personal property such as furniture or appliances

Petitioner is a person who brings a lawsuit or petition to a court, in real estate, this can include a petitioner who is seeking to resolve a dispute or enforce a contract

Plaintiff is a person who brings a lawsuit to a court, in real estate, this can include a plaintiff who is seeking to resolve a dispute or enforce a contract

Pledge is a type of security that is provided to secure a loan, in real estate, this can include a pledge that is used to secure a mortgage or other type of loan

Power of Attorney is a document that grants one person the authority to act on behalf of another person, in real estate, this can include a power of attorney that is used to grant authority to a broker or attorney

Preemption is a right to purchase a property before it is offered to other buyers, in real estate, this can include a preemption that is granted to a tenant or other party

Premises is a type of property that is leased or rented, in real estate, this can include premises that are used for commercial or residential purposes

Presumption is a type of evidence that is used to establish a fact, in real estate, this can include a presumption that is used to establish the ownership of a property

Privity is a relationship between two or more parties that are connected by a contract or agreement, in real estate, this can include privity that is established by a contract or agreement

Probate is the process of administering a decedent's estate, in real estate, this can include probate that is used to distribute a decedent's assets, including real property

Promissory Note is a document that promises to pay a specific amount of money at a specific time, in real estate, this can include a promissory note that is used to secure a loan

Property is a type of asset that can be owned or controlled, in real estate, this can include property such as land, buildings, or other types of real estate

Purchase Agreement is a contract between a buyer and a seller that outlines the terms of a sale, in real estate, this can include a purchase agreement that is used to buy or sell a property

Quiet Title is a type of lawsuit that is brought to establish the ownership of a property, in real estate, this

can include a quiet title that is used to resolve a dispute over ownership

Quitclaim Deed is a type of deed that transfers the interest of a grantor in a property, in real estate, this can include a quitclaim deed that is used to transfer ownership of a property

Real Estate is a type of property that includes land and any improvements that are made to it, in real estate, this can include real estate such as homes, buildings