



California Real Estate Litigation

What Is Real Estate Litigation?

Our real estate litigation attorneys represent public entities and private clients in all types of litigation that touches on [real estate](#) issues, including disputes over purchase and sale agreements, leases, secured transactions, CC&Rs, ECRs, and other covenants and restrictions affecting land. Our lawyers are also experienced in [eminent domain](#), [inverse condemnation](#), title litigation, land use (CEQA) and entitlement litigation.

Common Types of Real Estate Litigation

Real estate disputes can arise in any project or transaction that involves real property. This can be the sale, purchase, or lease of a home, commercial property, or raw land. Real estate litigation can also arise over uses of real property, including neighbor disputes, disputes within a retail shopping center, or disputes over use of property within a homeowners' association.

Real estate disputes can involve land use or development project approvals, including the California Environmental Quality Act (CEQA). Disputes can arise over liens on real property, or questions of title. Disputes can also arise over acquisition of private property for public uses (eminent domain or inverse condemnation).

What Makes Real Estate Litigation Unique

Real estate litigation requires particular expertise with real property law. Our lawyers have a depth of experience litigating these types of disputes, including lien disputes, title disputes, eminent domain and inverse condemnation, land use, and California Environmental Quality Action (CEQA). Our expertise resolving real property disputes allows us to guide our clients through the complex and sometimes daunting process of civil litigation with expert care and confidence.

When It's Time to Approach a Real Estate Litigation

Attorney

You should reach out to Burke's real estate litigation team if:

- You have recently been served with a complaint involving a real estate dispute;
- You have been involved in a sale, lease, or other real estate transaction and are concerned about the fairness or validity of the transaction;
- You are involved in a business venture or transaction involving real estate assets, and there is a misrepresentation, failure to disclose, or other dispute that might result in litigation;
- You are a public agency or municipality with a public project that will require use of private property;
- You are a public agency or municipality that has already engaged in eminent domain proceedings that is or may be headed into litigation;
- You are a property owner whose property is being acquired for a public use;
- You are involved in a situation involving inverse condemnation;
- You are a public agency, municipality or private developer and have been named in a lawsuit challenging land use approvals for a project;
- You are a public agency, municipality or private developer involved in a lawsuit alleging violations of the California Environmental Quality Act (CEQA); and/or
- You are involved in any other dispute or potential dispute over real estate.

Choosing Burke for Your California Real Estate Litigation Needs

We represent clients who are owners, tenants, or occupants of shopping centers in disputes over uses of common areas. We handle disputes over misrepresentations in real estate purchases and other secured transactions. We represent parties in business disputes involving real estate assets, and guide our clients with our expertise in real property law.

We represent municipalities and other public agencies who must acquire property rights for public uses and public projects, and property owners whose land is being acquired, through eminent domain litigation to determine the amount of just compensation owed to the property owner for the property rights being acquired. We also pursue and defend claims of inverse condemnation. Our lawyers have a depth of experience across the whole state of California, which

includes relationships with the necessary expert witnesses to achieve fair results in eminent domain and inverse condemnation cases. Our lawyers have achieved successful early resolution of eminent domain and inverse cases through ADR, and all the way through jury verdict.

We represent agencies and developers in obtaining land use entitlements, including through litigation, if necessary. The California Environmental Quality Act (CEQA) is a complex and highly specific area of law, and skilled legal representation is necessary to navigate land use and entitlement litigation in California. Our lawyers' depth of experience in land use law, real property law, and litigation enables us to achieve favorable judgments and resolution for our clients in these complex matters. We have successfully obtained judgments and won early pretrial motions against CEQA challenges for our private developer and public agency clients.

To learn more about our real estate litigation practice, [contact us](#) today.