

Real Estate Litigation

The firm has engaged in a substantial land use and real-estate related litigation practice since its inception. Experience among members of the firm ranges from simple appeals of local government decisions to complex litigation to obtain or defend land use approvals and protect private property rights at the local, regional and state levels.

Litigation in these areas arises within a variety of contexts related to the acquisition and development of real estate, such as disputes arising from a contract to sell or purchase property, disputes related to closing on the sale or purchase of real property, disputes arising from the extent of ownership of property (such as title, boundaries and rights conferred by ownership), disputes with governmental agencies charged with overseeing development approvals and permits required for development of property, defense against opposition to such approvals made by third parties such as neighboring property owners and environmental groups, and defense of enforcement actions filed by regulatory agencies that oversee use and development of real estate within Florida.

The depth of our experience and creativity in solving such problems, our relationship and credibility with staff attorneys at all levels of government, and our focus on achieving the most cost-effective and expeditious resolution of litigation possible make the attorneys at Lowndes, Drosdick, Doster, Kantor & Reed some of the most sought after in disputes related to the acquisition, use and development of real estate. Our areas of focus include:

- Appeal of local government decisions related to rezonings, site plan approval, building permits, and other land use approvals
- Writs of Mandamus to order local governments to issue land use approvals or permits
- Comprehensive plan challenges before the Department of Community Affairs and Division of Administrative Hearings
- Challenges to Developments of Regional Impact before the Division of Administrative Hearings
- Challenges to Mitigation Bank permits involving Regional Water Management Districts and the Division of Administrative Hearings
- Challenges to Water Management District permits
- Challenges to Department of Environmental Protection permits
- Challenges to Army Corps of Engineers permits

Key Contacts

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Related Professionals

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- Regulatory takings
- Claims for compensation under the Bert J. Harris, Jr. Private Property Rights Protection Act
- Proceedings before State of Florida administrative agencies under Florida's Administrative Procedures Act
- Federal and state court enforcement challenges
- Environmental compliance challenges
- Hazardous waste contamination challenges
- Contractual disputes related to acquisition of real property
- Title disputes
- Boundary disputes
- Riparian rights disputes
- Ad valorem tax challenges
- Condemnation actions

News

Lowndes Named to 2025 "Best Law Firms" by *Best Lawyers*
11.07.2024 | AWARDS & RECOGNITION

Lowndes Named to 2024 "Best Law Firms" by *Best Lawyers*
11.10.2023 | AWARDS & RECOGNITION

Lowndes Secures Favorable Ruling in Dispute Regarding Affordable Housing Project
12.01.2022 | PRESS RELEASE

Forty-Three Lowndes Lawyers Earn Recognition in Best Lawyers in America 2020
08.15.2019 | AWARDS & RECOGNITION

Lowndes Named To The 2018 *U.S. News-Best Lawyers* "Best Law Firms" List By *U.S. News & World Report* & *The Best Lawyers*
11.06.2017 | PRESS RELEASE

Events

Navigating the COVID-19 Crisis: Landlord/Tenant Issues
04.16.2020 | WEBINAR

Publications

New Florida Law Will Improve Remedies for Owners to Remove Squatters from Homes
04.02.2024 | ARTICLE

National Association of Realtors to Eliminate 6% Sales Commissions
03.15.2024 | ARTICLE

Lee County Pilots New Property Fraud Prevention Program
11.06.2023 | ARTICLE

Florida Senate Bill Tries to Counter MV Realty's 40-year Liens by Regulating "Residential Loan Alternative Agreements"

06.13.2023 | ARTICLE

Governor DeSantis Signs Tort Reform Bill into Law

03.30.2023 | ARTICLE

Despite Court Ruling, Orange County Voters Approve Rent Control

11.09.2022 | ARTICLE

Appeals Court Rules Against Orange County's Proposed Rent Control Ordinance

10.28.2022 | ARTICLE

Are Economic Losses Caused by COVID Shutdowns Recoverable Under Commercial Property Insurance Policies?

06.30.2022 | ARTICLE

Local Government Financing of Energy Conservation & Efficiency Improvements to Property

12.14.2021 | ARTICLE

HUD's Revised Rule Makes "Disparate Impact" Claims Under the Fair Housing Act More Difficult

09.10.2020 | ARTICLE

Governor DeSantis Extends Eviction and Foreclosure Moratorium until September 1

07.31.2020 | ARTICLE

Can Your Email Exchange Become a Binding Contract?

08.09.2017 | ARTICLE