

Real Estate Disputes and Litigation

Attorneys

Renee A. Dangoia
Samantha Andler Feldman
Alexander L. Friedman
Erynn A. Hamel
Michael Kozlov
Esteban Rojas
Neil B. Smola
Bryan J. Texiera
Jack C. Zachary

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Overview

Property disputes rarely resolve on their own. Whether the issue involves a contested boundary line, a failed purchase and sale transaction, a title defect discovered after closing, or a neighbor's encroachment that has gone unchallenged for years, the legal questions are specific, and the stakes are real. Delay often compounds the problem. Recording deadlines pass, adverse possession claims strengthen, and positions harden. The instinct to protect what you own is justified, but that instinct needs to be paired with a legal strategy grounded in the deed record, not assumptions about where a line falls. Cohen Cleary is a real estate litigation attorney practice serving clients across Massachusetts and Rhode Island, bringing focused preparation and Land Court familiarity to disputes where property rights are on the line. If you need a boundary dispute attorney or counsel for any real property claim, early action protects your position.

How We Help Resolve Property Disputes and Title Claims

Real estate disputes involve overlapping legal frameworks, and the path to resolution depends on identifying the right claims, the right forum, and the right strategy early. We handle these matters across several categories:

Boundary, easement, and neighbor disputes

Claims involving adverse possession and prescriptive easements carry specific evidentiary requirements under Massachusetts law, including proof of use, exclusivity, and duration. When clients need a neighbor dispute attorney, our approach begins with the recorded instruments and survey history to assess whether the legal record supports the claimed boundary or tells a different story.

Purchase and sale agreement breaches

We serve as P&S breach attorneys for parties pursuing or defending claims for specific performance when monetary damages would not make the buyer whole, or seeking damages when the transaction cannot be salvaged. When a deal collapses, a failed transaction lawyer must understand both the contractual and equitable remedies available.

Title defects, quiet title actions, and disputes involving undisclosed encumbrances

Title defects, quiet title actions, and disputes involving undisclosed encumbrances require precise title analysis and familiarity with the recording system. We also handle partition actions for co-owners who cannot agree on the use or disposition of property, which Massachusetts courts approach with a preference for partition by sale when physical division is impractical.

Prejudgment remedies

We assist clients with lis pendens filings to protect interests in real property during litigation and attachments to secure assets before judgment. These tools are time-sensitive, and waiting too long to pursue them can undermine the case.

Boundary disputes and easement claims often escalate because neighbors rely on assumptions rather than surveys and recorded documents. By the time litigation begins, both parties have invested emotionally in positions that the actual legal record may not support. A boundary survey and title review cost a fraction of what litigation costs, and what the record reveals often changes the conversation entirely.

Why Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our real estate litigation work, this approach helps clients navigate property disputes with clarity, efficiency, and confidence.

Our Approach to Real Estate Dispute Resolution

We tell our clients that the outcome of a property dispute often depends on what happened in the first two weeks, not the last two. Early investigation of the deed chain, recorded instruments,

and survey history shapes every decision that follows. Our attorneys evaluate whether the case belongs in Land Court, Superior Court, or Housing Court, because forum selection affects procedure, timeline, and the available remedies. We prepare every matter for trial while pursuing resolution when the cost-benefit analysis supports it. Clients who need a Land Court lawyer benefit from counsel who understands that court's concentrated docket and procedural expectations.

Representing Clients in Real Estate Disputes Across New England

Cohen Cleary represents clients in real estate disputes across Massachusetts and Rhode Island, with offices in [Taunton](#) and [Plymouth](#). Our real estate litigation attorneys regularly appear in Massachusetts Land Court, the Superior Court, and the local District Courts throughout Bristol County, Plymouth County, and Norfolk County. Clients seeking a Plymouth property dispute lawyer or Taunton real estate litigation counsel work with attorneys who bring practical familiarity with southeastern Massachusetts registries of deeds and the procedural requirements specific to each forum. The firm also serves as a Massachusetts Land Court attorney practice with the capacity to represent clients across New England.

Schedule a Consultation With a Massachusetts Real Estate Litigation Attorney

Property disputes grow more complex and more expensive with time. If you are facing a boundary conflict, a failed transaction, a title claim, or any dispute involving real property rights, contact Cohen Cleary to discuss your options. Schedule a consultation with our real estate litigation team through our [Taunton](#) or [Plymouth](#) office.

Frequently Asked Questions About Real Estate Litigation

What types of real estate disputes does Cohen Cleary handle?

We represent clients in boundary and easement disputes, title defect claims, quiet title actions, purchase and sale agreement breaches, partition actions for co-owned property, adverse possession claims, and disputes involving lis pendens and prejudgment attachments. Our practice covers both residential and commercial property litigation.

What is the Massachusetts Land Court, and when does my case belong there?

The Land Court is a specialized Massachusetts court with jurisdiction over title disputes, boundary issues, zoning appeals, and other matters affecting real property. Cases involving quiet title actions, registered land disputes, and certain easement claims are typically filed there. Land Court judges handle a concentrated docket of property cases, and familiarity with that court's procedural expectations matters.

Can I still bring a claim after a real estate closing?

In many cases, yes. Post-closing claims may arise from undisclosed defects, title issues, seller misrepresentation, or breaches of the purchase and sale agreement. Statutes of limitations apply and vary depending on the nature of the claim, so prompt legal consultation is important.

What is the difference between specific performance and damages in a real estate dispute?

Specific performance is a court order requiring the other party to complete the transaction as agreed, and courts may grant it when the property is considered unique and money damages would be inadequate. Damages compensate the injured party financially for losses caused by the breach. The appropriate remedy depends on the facts of the transaction and whether the property can be substituted with a monetary award.