

Effective management of real estate and land disputes through mediation

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SUMMARY

A stable and transparent real estate and land framework is affected by many factors. Inefficient policies to promote the development of land and property markers, uncertainty of real estate markets, financial crisis, inadequate of excessive regulation, inability to engage in effective and constructive dialogue, difficulties in engaging constructively with project stakeholders and so on. All the above could bring about challenges and concerns that eventually lead to disagreements and disputes. If parties choose the adversarial path of court proceedings it may mean dramatic increase in litigation, huge costs and enormous time delays. If on the other hand parties opt for an alternative way such as mediation, they have a great opportunity to engage constructively in the dispute resolution process and engineer agreements. Even when a dispute is not there yet, a concern or disagreement that isn't handled collaboratively can grow into a destructive energy for any project. The stages of the mediation process, the benefits of using mediation, the shift from positions to interests, issues of neutrality, trust, privacy and confidentiality, a list of the nature of cases suitable for mediation, the mediation environment inside and outside the mediation room will be outlined and real disputes that have been resolved through mediation will be cited.

Keywords: Dispute resolution, mediation, risk management, effective policies, constructive communication, real estate mediation, land disputes