

REAL ESTATE, INSURANCE AND BANKING SECTORS GENERATING DISPUTES, BUT CASES NOT RESOLVED QUICKLY - BROSETA

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‘Sharing economy’ also generating opportunities for dispute resolution lawyers as conflicts arise between traditional businesses and their newer competitors

Though the Spanish real estate, insurance and banking sectors in Spain are providing a steady flow of disputes for litigation lawyers, lengthy judicial proceedings can mean they are not resolved quickly, according to Patricia Gualde, partner at Broseta.

“The real estate sector is growing,” Gualde says. She adds that investors are continuing to acquire real estate assets and this is leading to litigation related to the enforcement of lease contracts, mortgage foreclosures and the collection of unpaid rent.

In addition to real estate disputes, banking and insurance sector litigation is also creating significant work for lawyers in Spain, according to Gualde. “There are many banking disputes – financial institutions and banks are litigating in relation to matters such as the validity of clauses and

conditions of contracts." Litigation related to property financing is also generating work for law firms, says Gualde.

Meanwhile, the improving economic conditions are likely to lead to more litigation in future, according to Gualde. "The economic and business growth of recent years will surely generate the signing of more contracts between companies that could bring up more disputes related to contractual litigation."

The 'sharing economy' is also creating opportunities for dispute resolution lawyers, Gualde says. She adds that, until the sector is fully regulated, it will continue to generate conflicts between the "traditional businesses and new business formulas that arise day after day". Gualde highlights cases such as those brought against Uber and BlaBlaCar, and says that there will be "many more such disputes in the future".

However, a problem that continues to plague the resolution of disputes in Spain is the length of judicial proceedings. Gualde says courts continue to "suffer delays and the current implementation of alternative dispute resolution methods that allow the resolution of conflicts in shorter times remains a pending issue."