
Neighbor License & Access Agreements (RPAPL 881)

PRACTICE LEADER



Mark J. Caruso

Partner

Construction Access and Neighbor License Representation

Abrams Fensterman, LLP represents property owners, developers, and neighboring landowners in connection with Neighbor License Agreements, including court-ordered access proceedings under RPAPL § 881. With the addition of Rachelle Rosenberg, Elliot Steinmetz, and their team from Rosenberg & Steinmetz PC, the firm has expanded its depth in this highly specialized area of New York real estate law.

Construction and development projects in New York City and surrounding areas frequently require temporary access to adjoining properties to install protections, perform inspections, or complete work safely and in compliance with Department of Buildings requirements. When access cannot be obtained by agreement, RPAPL 881 provides a statutory mechanism for securing a license through the courts. Our attorneys guide clients through both negotiated agreements and contested proceedings with efficiency, precision, and a clear understanding of the practical realities involved.

RPAPL 881 & Access Matters

Abrams Fensterman maintains a focused practice handling neighbor license agreements and RPAPL 881 proceedings required for construction projects in New York City. The firm represents both developers seeking access to adjoining properties and property owners seeking appropriate protections.

Our team regularly works with:

- Developers and property owners
- Engineers and architects
- NYC Department of Buildings requirements

Abrams Fensterman advises developers and property owners seeking access, as well as adjacent owners asked to grant access, allowing us to approach these matters with a balanced, strategic perspective. We negotiate and draft license agreements that address scope of access, duration, protections, insurance, indemnification, monitoring, and compensation, while also positioning clients effectively should court intervention become necessary.

Focused expertise in construction access matters

A key strength of our RPAPL 881 practice is its integration with litigation experience. Our team has extensive experience prosecuting and defending RPAPL 881 proceedings in New York courts, enabling us to move matters forward efficiently when negotiations stall. We work closely with engineers, architects, and construction professionals to ensure that agreements and court submissions reflect the technical requirements of the project and withstand judicial scrutiny.

Our attorneys understand that RPAPL 881 matters are often time-sensitive and directly impact construction schedules, financing obligations, and project costs. We focus on resolving access issues promptly while protecting client interests, minimizing disruption, and managing risk throughout the process.

As a full-service firm, Abrams Fensterman provides seamless coordination between RPAPL 881 proceedings and related real estate litigation, acquisitions and sales, leasing, financing, and corporate matters. This integrated approach allows us to address access issues in the broader context of the project and the client's overall objectives.

Contact Our RPAPL 881 & Neighbor License Agreements Team

To learn more about how we can assist with your project or protect your property interests, please [contact our law firm](#) on Long Island at [516-328-2300](tel:516-328-2300), in Brooklyn at [718-215-5300](tel:718-215-5300), White Plains at [914-607-7010](tel:914-607-7010), Rochester at [585-218-9999](tel:585-218-9999) or Albany at [518-535-9477](tel:518-535-9477) to schedule an initial consultation.