



A Real Estate Glossary for the Layperson –  
Part One

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When reading and understanding the issues set forth in a title report it is important to know the meanings of the terms used and the effect they have on title. Like any other industry title insurance has its own nomenclature, its own lexicon, which is utilized by its professionals to express and analyze relevant issues. It need hardly be said that it is the responsibility of those who work in the title field to fully explain, to laymen as well as others in the real estate field, in the clearest, least obtuse language, the information meant to be conveyed by the title report. No profession benefits if its internal mode of communication hinders communication with those outside the field. Nevertheless, familiarity with the title “language” can be of immense benefit to those who deal with the industry, either on a regular or occasional basis:

Money Judgment: A lien filed by a creditor against the judgment debtor, which affects/attaches to all the real property owned by the judgment debtor in the county where the judgment is docketed/filed for a period of ten years from the date the judgment is perfected. The lien nature of a judgment is a matter of some confusion among laypersons. For example, real property owners, when confronted with a judgment docketed against their name in the county where they own multiple parcels of real estate, will often argue that the judgment arose out of an action concerning only one of the parcels which they own. They will even point to the address which is listed below their name on the judgment in question as further proof that the dispute which ultimately resulted in the judgment, was limited to premises other than the one in the title report at hand. It is the clearance person’s responsibility in the title company to fully explain that the act of docketing a judgment in a particular county automatically affects all real property owned by said judgment debtor. This applies to Parking Violation and Environmental Control Board judgments treated more fully below.

Parking Violation Bureau Judgment: A lien filed by the City of New York against the individual or entity for outstanding unpaid NYC parking violations, which is in effect for 10 years from the date of docketing against any real property owned by the debtor anywhere within the five boroughs of New York City.

Environmental Control Board Judgment: A lien filed by the City of New York against the individual or entity for outstanding violations (such as open garbage cans, litter in front of the property, etc.) which is in effect for eight years from the date of docketing against any real property owned by the debtor anywhere within the five boroughs of New York City.

Federal Tax Lien: A tax lien against an individual or entity which is filed by the Internal Revenue Service (for unpaid income tax or business tax, for example) which is in effect for ten years and thirty days from the date of docketing against any real property owned by the debtor in the county where the lien is filed.

New York Estate Tax Lien: A lien against the estate of a deceased owner of real property (the decedent), which affects any real property owned by the decedent in New York State for a period of fifteen years from the date of death if not disposed of. This lien may not apply if the decedent’s gross estate was less than the threshold amount necessary to file a return or to pay New York Estate Tax as was applicable in New York State at the time of death.

Federal Estate Tax Lien: A lien against the estate of a deceased owner of real property (the decedent), which affects any real property owned by the decedent in New York State for a period of ten years from the date of death, if not disposed of. This lien may not apply if the decedent's gross estate was less than the threshold amount necessary to file a return or to pay Federal Estate Tax as applicable in Federal Statute at the time of death.

Mechanics Lien: A claim filed by a contractor for labor and materials performed or furnished in improving or construction of real property, or in a different scenario, by a real estate broker, in either case known as "the lienor". A Mechanics Lien affects the property for one year from the date of filing unless extended by court order, or action is commenced by a lienor to foreclose upon the real property.

Lis Pendens: Gives constructive notice of a pending law suit. Once filed, it affects the real property for a period of three years from the date of filing. If continued, it is in effect for three more years. The giving of constructive notice means that a party cannot later claim he/she was unaware of the matter.

Emergency Repair Lien: A lien filed by the City of New York for work done by the city in the event that there is an emergency situation located at a property where the record owner cannot be reached to repair or correct the hazardous condition. It does not expire on its own by the simple passage of time.

Sidewalk Notice: Notice by the City of New York that upon inspection it was noted that a repair must be made to the property's sidewalk(s). For example, the sidewalk might be cracked or elevated, or a gap noted. If the owner does not make the repair, the City having given notice, can come in, make the necessary repairs to the sidewalk and bill the owner for the repair.

It is our hope that familiarity with the above terms will make communication with those in the title profession more productive.