



Boundary Determination and Disputes

PCC- EuroGeographis 2026



Geodatastyrelsen

A public-privat cooperation model

Main characteristics of the Danish cadastral system

- Public-private cooperation model – the Danish Geodata Agency and the private practicing surveyor
- *"The cadastral authority is the Geodata Agency"*
- *"Cadastral work may only be carried out by a licensed land surveyor" (= private practicing surveyor)*



Boundary determination

Main rule for boundary demarcation and marking

- *"A property boundary may only be marked or determined by measurements, if the marking is in accordance with the cadastral information about the location of the boundary".....*
- *....."Does not apply if the marking takes place as part of a property rectification"*

Starting from the cadastral information and taking the actual physical conditions into account

- if there is **no deviation** – the marking of the boundary may be in accordance with the cadastral information
- if **deviation** – the private practicing surveyor must investigate whether the physical conditions have lasted **less or more than 20 years**. (Due to rules on property claims)

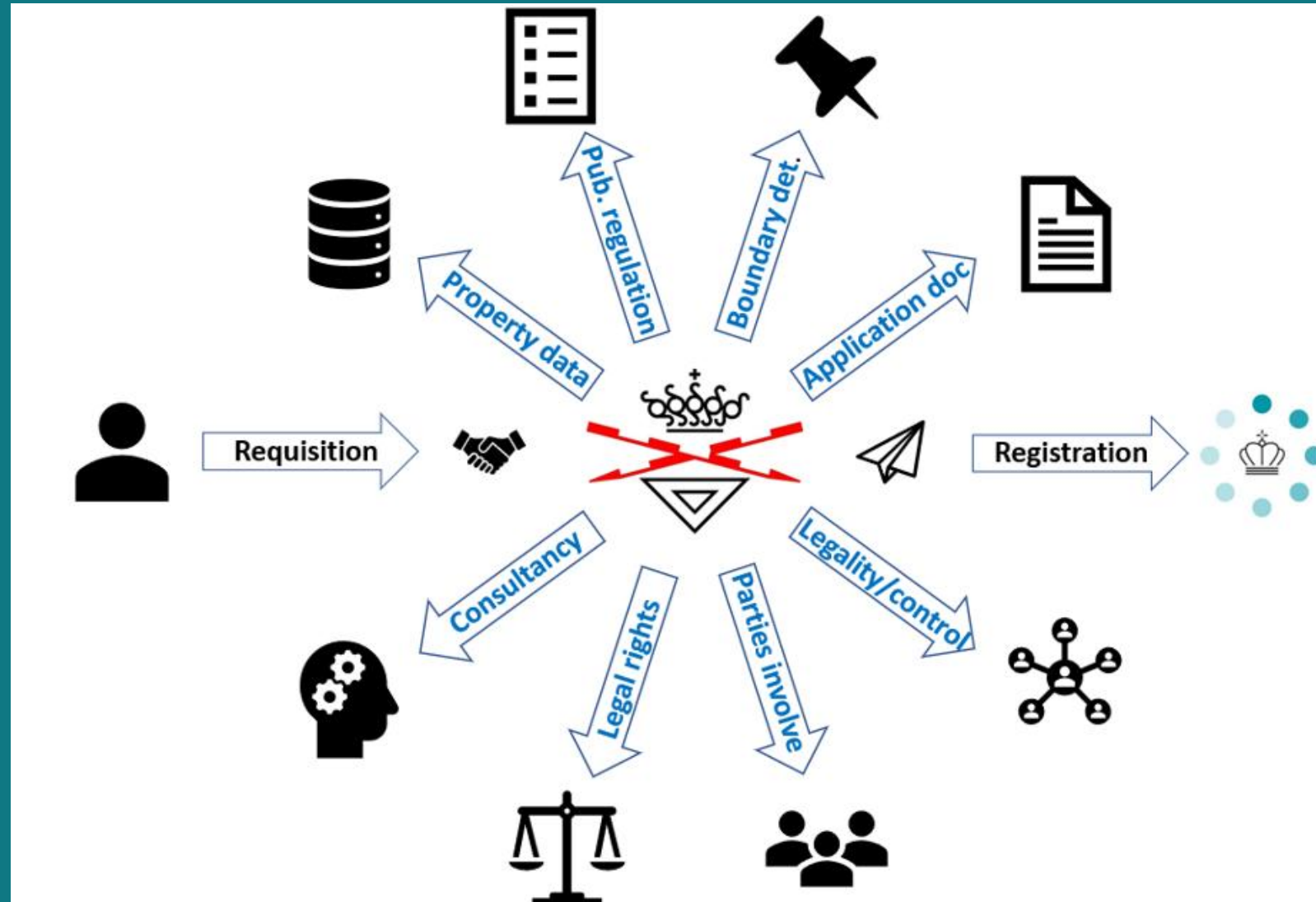


Data collection

Property data

Collection of data for a first-hand overview of information – digital administrative and geographical data

- Cadastral map
- Aerial photos
- Cadastral register information
- Land registry information
- Spatial planning framework
- Building register information



The physical conditions

Deviation less than 20 years

- The cadastral information is valid – the parties can change the boundary in accordance with the physical conditions by land transfer upon an agreement

Deviation more than 20 years

- The private practicing surveyor must investigate whether a party has exercised an owner's right to the physical boundary for more than 20 years

- **If no** – the cadastral information is valid,

- **If yes – and there is agreement** between the neighbors on the physical boundary, the boundary can be determined and corrected in accordance with the physical boundary upon declaration by owners and the private practicing surveyor

- **If yes – but no agreement** between the neighbors, the boundary must be determined by a boundary determination process conducted by a private practicing surveyor



Boundary dispute - procedure

- "Legal boundary determination proces" – boundary dispute
- - "Legal proceedings cannot be instituted regarding the location of a boundary, including as a result of a boundary
- *claim, before a legal boundary determination has been held'*

Preliminary investigation – collection of property information, cadastral information, aerial photographs, witnesses, identification of boundaries, surveying, etc.

Convening the parties to meet on site at the disputed boundary

Hearing of the parties – inspection, point of views, statements from witnesses etc.

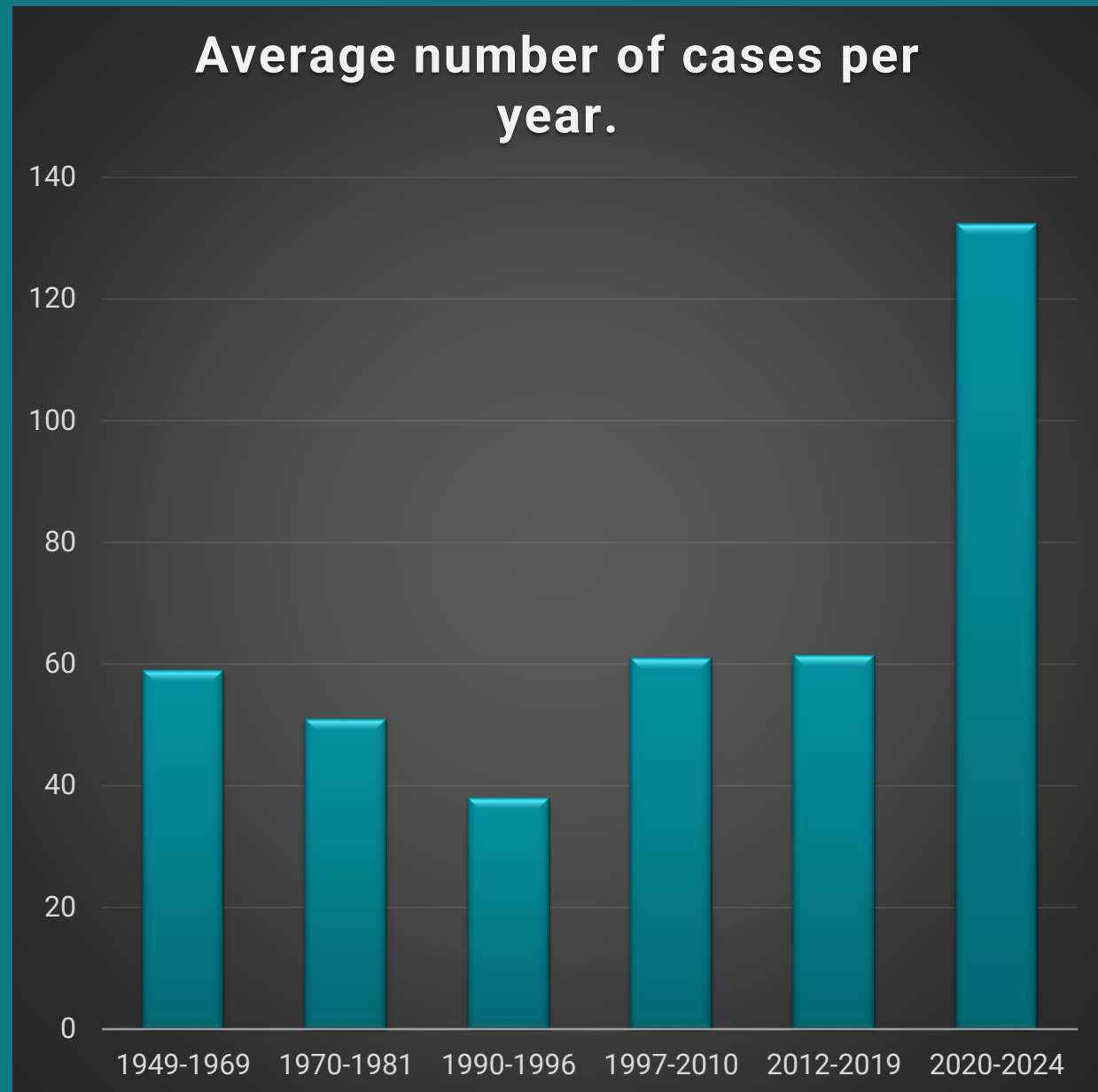
Boundary determination – the private practicing surveyor makes a decision and marks the boundary

- **if agreement** on the boundary – will be registered as marked
- **if no agreement** on the boundary – the private practicing surveyor prepares a report on the boundary determination, which the parties can use when/if submitting the surveyors boundary determination to the court's decision



Historical Background

- This part of the presentation examines the development of cadastral boundary cases in Denmark between 2012 and 2022, focusing on trends, causes, and implications for practice.
- Between 2012 and 2022, a total of 875 boundary cases were registered. The number of cases has increased significantly, especially in recent years, indicating a growing reliance on this conflict resolution tool.

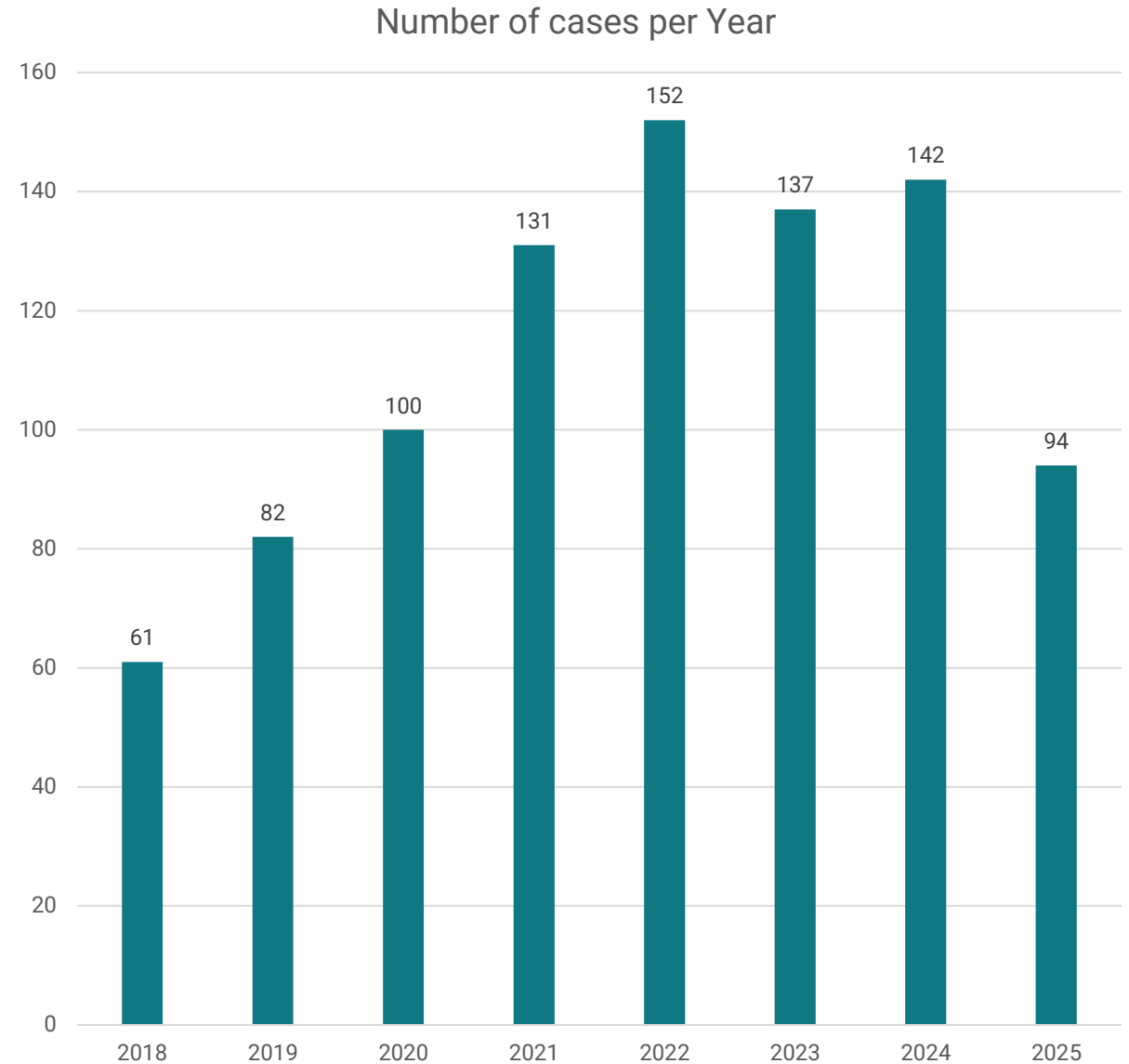


Recent trends

The increase is particularly evident after 2020, where the number of cases rose from 100 in 2020 to 152 in 2022.

In 2025 the numbers of cases declined to only 94, which is still a rather high number of cases.

This growth compared to earlier periods suggests changing behavior among property owners and professionals.



Explanations?

1. The COVID-19 Pandemic

The pandemic led to widespread remote work and increased time spent at home. This appears to have heightened awareness of property boundaries and increased attention to neighbors' activities, thereby triggering more disputes.

2. Changes in Professional Practice

Surveyors increasingly use boundary cases as a structured tool for resolving disputes. The process provides clear procedural guidelines and documentation requirements, making it an attractive method for clarifying boundary disagreements. Additionally, boundary cases may now be initiated earlier in the conflict process than in the past.

3. Increased Involvement of Lawyers

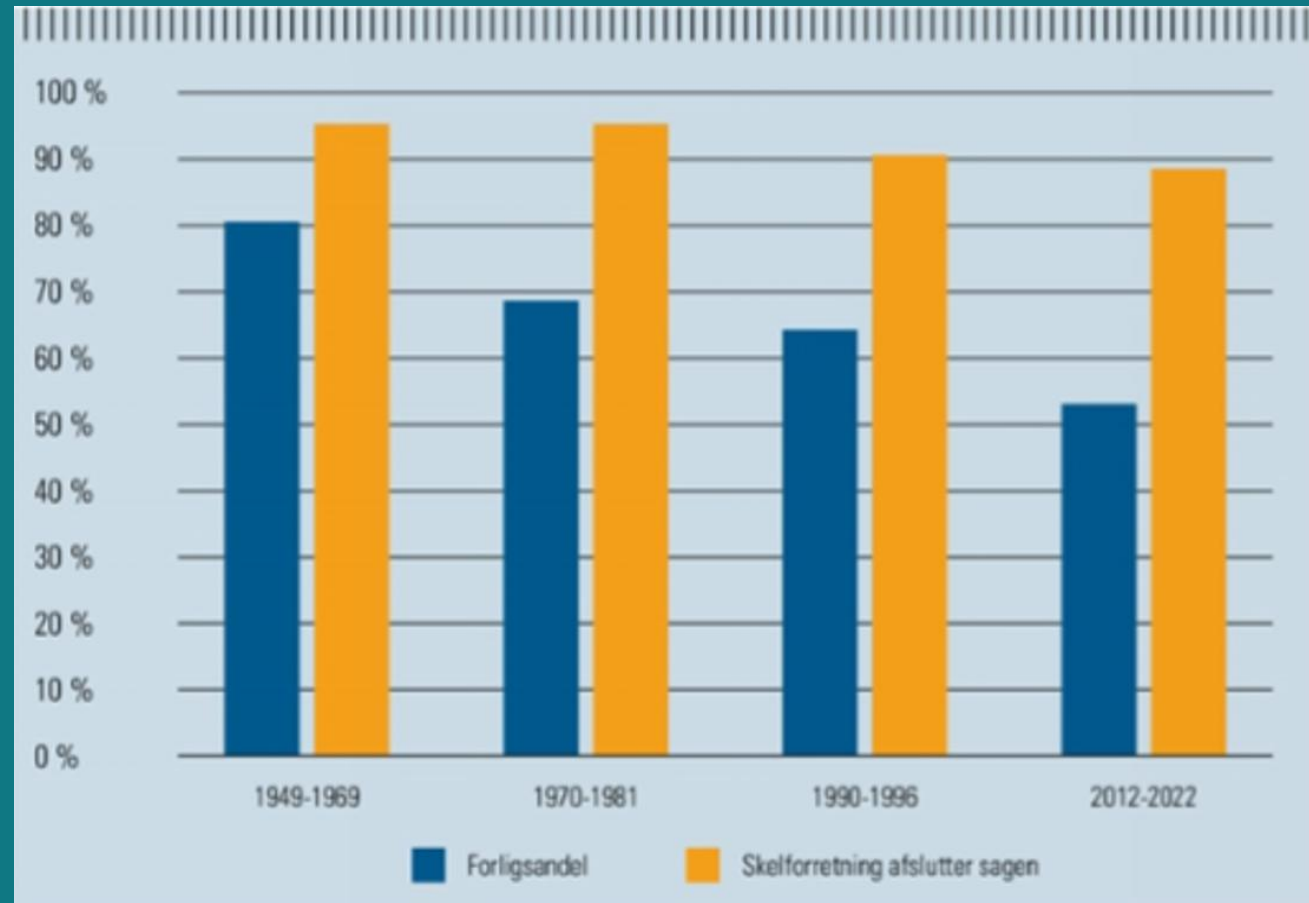
Law firms have increasingly specialized in boundary disputes and actively market their services. Their involvement has become more common and may contribute to the formalization and escalation of disputes.

4. Legal Aid Requirements

Access to legal aid insurance often depends on the dispute being formally processed as a boundary case and submitted through a lawyer. This creates a financial incentive to initiate a boundary case rather than resolving the issue informally or through simpler procedures.

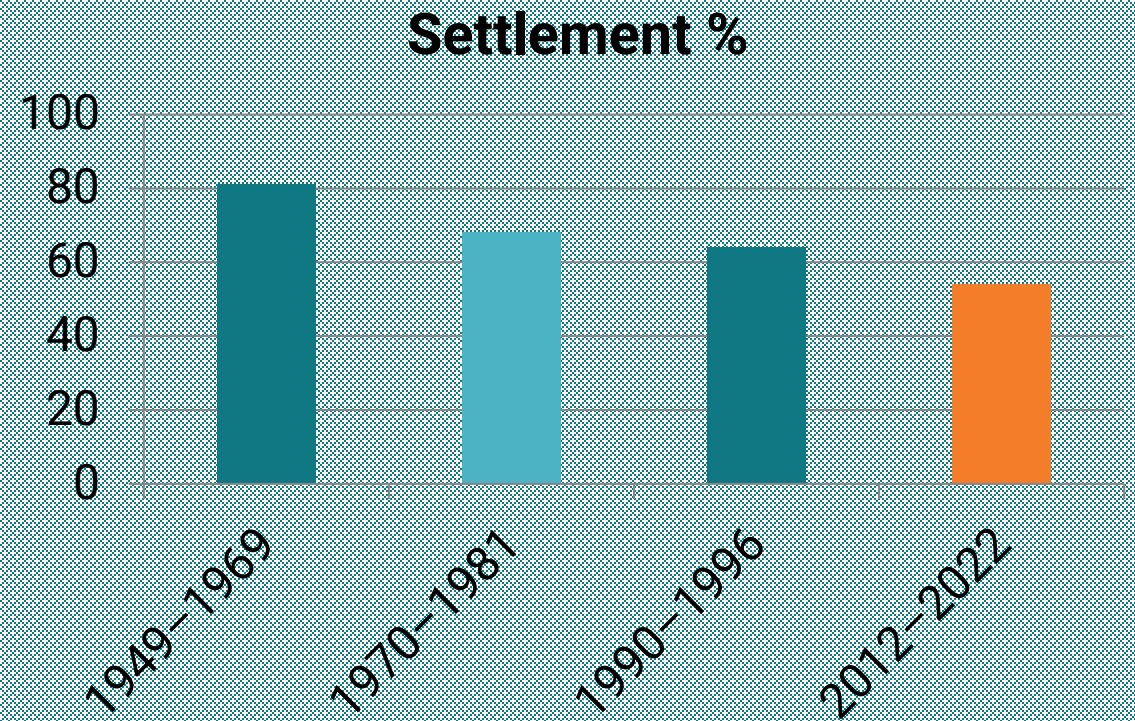
Conflict Resolution Effectiveness

- Despite changes, boundary cases remain highly effective. Around 88% of cases are resolved within the process itself, meaning that most disputes do not proceed to court.
- However, there has been a gradual decline in the proportion of cases settled through agreement during the boundary case:
 - 81% (1949–1969)
 - 68% (1970–1981)
 - 64% (1990–1996)
 - 54% (2012–2022)
- At the same time, the proportion of cases where the boundary case definitively resolves the dispute has also decreased slightly, though it remains high overall.
- These developments may reflect a broader societal tendency to pursue disputes further when appeal options are available, rather than accepting negotiated settlements.



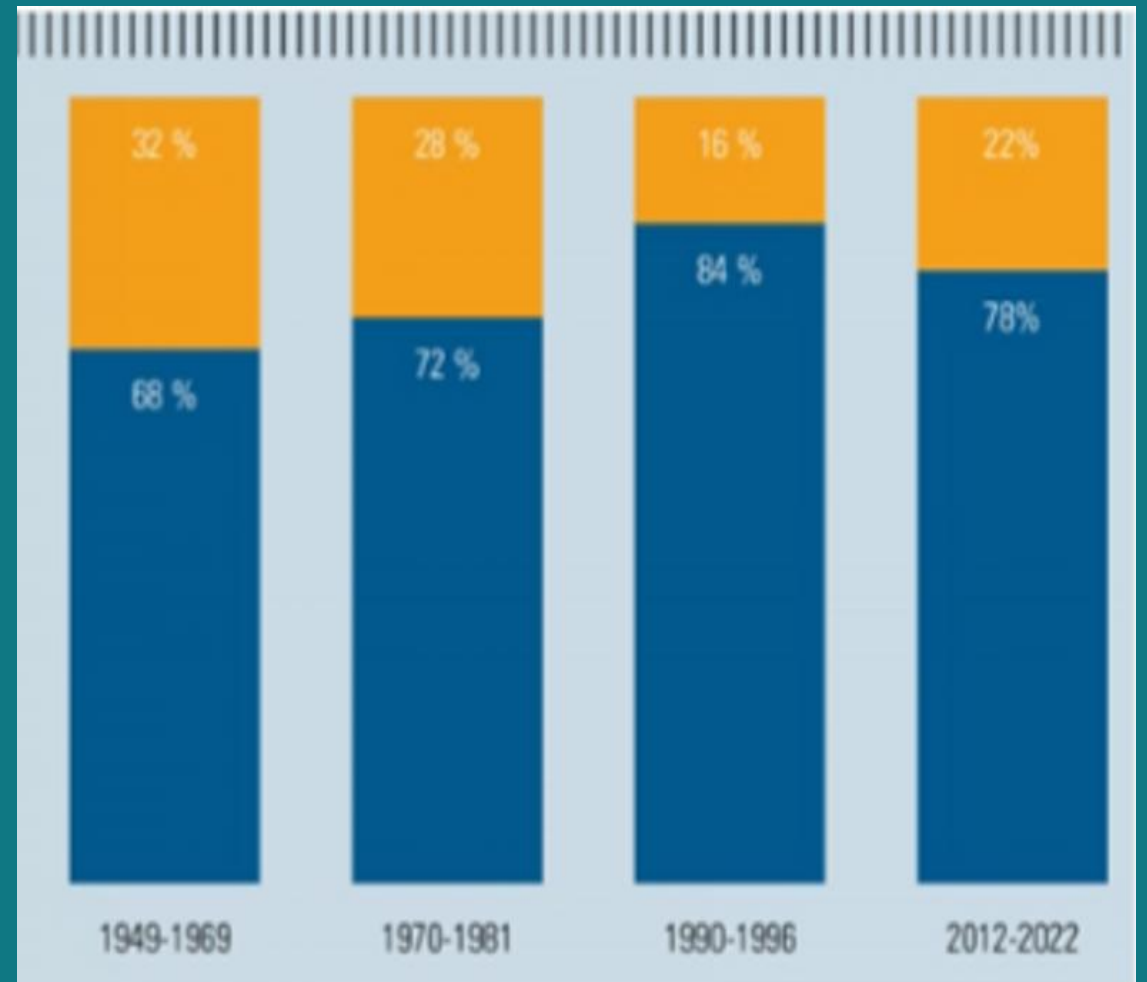
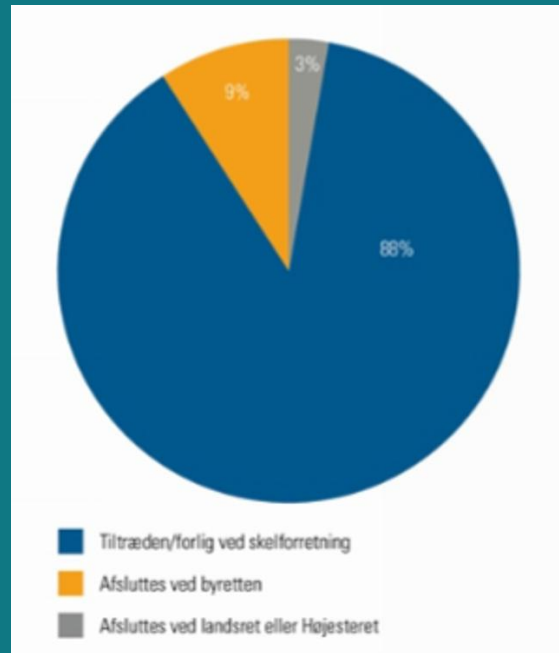
Settlement Trends

- The proportion of cases settled during the process has declined over time, from over 80% in earlier periods to around 54% today. This suggests that conflicts are increasingly pursued further.



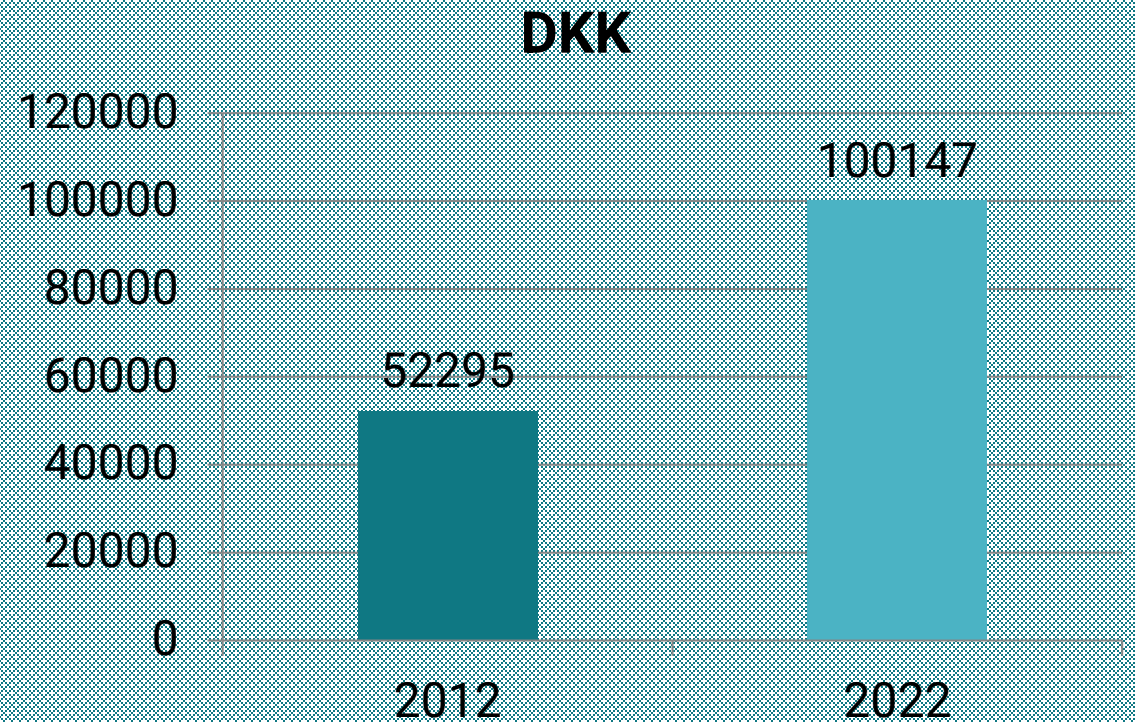
Court Involvement

- Only about 12% of cases are brought before the courts. In most of these cases, the original decision made by the surveyor is upheld, demonstrating the reliability of the system.



Cost Development

- The cost of conducting boundary cases has increased significantly, rising from approximately 7.000 Euro in 2012 to around 13.300 Euro in 2022. This increase is much higher than general inflation.
- Possible explanations include more extensive preparatory work by surveyors and increased communication with parties and lawyers.



Overall Conclusion

- An effective and important instrument for resolving property boundary disputes in Denmark.
- the majority of cases are still resolved within the boundary case system itself.
- The increasing number of cases suggests that the instrument is being used more frequently and possibly more proactively.
- At the same time, rising costs and changes in dispute behavior indicate evolving dynamics in both professional practice and society.

Future trends?

Probably an increasing number of boundary determination.

Perhaps an increasing number of boundary disputes.

- › Strong focus on 'my case, my rights, my outcome'
- › A need to know some facts for sure. If I can't understand the world, at least I know, where my boundary is

- Traditionally, systems were authority-driven. Professionals were trusted and rarely questioned.
- A growing tendency for citizens to challenge professional expertise. Often described as 'the patient knows better than the doctor'.
- People access large amounts of information online, including misinformation
- Disagreements are no longer just about solutions, but about facts itself. This makes dialogue and much harder.

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Thank You for
your attentions

