



PROPERTY LITIGATION

At Joelson, our property litigation team advises its clients on a wide range of disputes in relation to both residential and commercial properties.

We regularly advise landlords, owners, occupiers, tenants, property managers and developers, in relation to a wide range of properties including retail, offices, industrial, leisure, restaurants, pubs and residential.

We work closely with the property team at Joelson to provide strategic advice to assist clients in achieving their commercial objectives. We are committed to helping clients avoid disputes wherever possible, and often advise our clients in relation to preventative measures which can be taken. However, where disputes do arise, we are on hand to give clear advice to seek to resolve the dispute, offering practical solutions to minimise costs.

We are highly experienced in dealing with claims in the High Court, County Court, the First-Tier Tribunal (Property Chamber) and the Upper Tribunal (Lands Chamber) and in settling disputes using mediation and other Alternative Dispute Resolution methods.

Areas of specialism include:

- Opposed and unopposed lease renewals under the Landlord and Tenant Act 1954
- Interim and terminal dilapidations
- Rent reviews
- Property management advice in relation to breaches of commercial leases
- Enforcement of lease covenants and other contractual obligations
- Service of break notices
- Forfeiture of leases
- Removal of squatters from commercial premises
- Trespass
- Boundary and rights of way disputes
- Party wall and rights of light disputes
- Claims for adverse possession which are made where an occupier claims ownership of the land based upon 10 or 12 years uninterrupted use of the land depending upon the circumstances of the case
- Landlord and tenant insolvency with a property element
- Recovery of arrears of rent and service charges in relation to commercial and residential properties
- Actions to secure possession of residential properties let on Assured Shorthold Tenancies and Common Law Tenancies
- Lease extensions of residential flats
- Collective enfranchisement

Key Contacts



Daniel Swimer

Partner

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Daniel is the Head of the Real Estate Litigation team at Joelson. He advises landlords, tenants, developers and investors on all contentious property matters. The latest edition of The Legal 500 UK describes him as "one to watch with a very focused, careful and knowledgeable approach". Daniel is a member of the Property Litigation Association and RICS Dilapidations Forum.



Jessica Howard

Senior Associate

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Jessica assists with a wide range of property litigation matters including landlord and tenant disputes, contentious and non-contentious lease renewals and possession claims. She has previously advised clients in a Court of Appeal hearing regarding the validity of a lease break clause exercised by a tenant.