



myerson

Myerson **Property**

Our Guide to Commercial Landlord Disputes

0161 941 4000 | myerson.co.uk | lawyers@myerson.co.uk

Welcome

Why Myerson?

At Myerson, our Real Estate Litigation solicitors are experts in advising on all aspects of property disputes. We are the firm of choice for both landlord and tenants of commercial properties. We act as trusted advisers, resolving all aspects of property disputes and providing positive outcomes.

As a Top 200 UK Law Firm, we are also proud to be ranked in many legal disciplines as '**Top Tier**' in the prestigious international directory **The Legal 500**, providing a truly bespoke and personal service.

All of the solicitors in our real estate litigation team are specialists and have a detailed understanding of real estate law and procedures. Your matter will be handled discreetly and efficiently.

Our specialist, dedicated team of property dispute solicitors have in-depth knowledge and a wealth of expertise in both bringing and defending complex and high-value matters.



Commercial Landlord Disputes

We help landlords make the most of their investment portfolio by providing commercial and practical advice to ensure that you derive an income from the property and the property is kept in the best repair and condition possible.

Our Expertise

Contested and Uncontested Commercial Renewal Lease Applications

We regularly act for landlords of commercial properties when they either want to renew a lease of commercial premises or want to oppose a renewal lease because, for example, they want to redevelop the property.

The Landlord and Tenant Act 1954 sets out a clear procedure that is to be followed, which involves serving notice and potentially issuing Court proceedings. We have a wealth of experience and can guide you through the process.

We will also work alongside our transaction colleagues in the Real Estate Team who will draft and negotiate the terms of the renewal lease on your behalf.

Forfeiture and Relief from Forfeiture

If your tenant breaches the lease terms, you may want to forfeit the lease. However, you must ensure that you do this lawfully and have not waived your right to forfeit the lease, as this would allow the tenant to bring a damages claim against you.

We regularly advise landlords on forfeiting a lease either by peaceable re-entry or by serving a Section 146 notice and issuing Court proceedings. We also have experience of dealing with Relief from Forfeiture applications and can advise you on all your options should the tenant make this application.



Commercial Rent Arrears Recovery

If your tenant fails to pay the rent to you, then we understand that you will want to act promptly to recover the arrears. We have contacts with local bailiffs who we can instruct to attend the property and recover the arrears of rent.

Dilapidations

We recognise that as a landlord, it is important to protect your investment and ensure that it is kept in repair.

A dilapidations claim crystallises at the end of the lease and we can advise you on your options and prepare and negotiate a settlement for you. We can also advise you on remedies that you can use during the term to ensure that your investments are kept in repair and to maximise the amount you can recover from your tenant.

Breaches of the Lease

It is common for tenants to breach the terms of the lease and we regularly advise landlords of commercial properties on the multitude of options that are available to them to remedy the breach and ensure compliance with the terms of the lease going forwards.

Break Notices

Leases can contain landlord or tenant break options. We have experience of preparing and serving the break notices as well as advising on the validity of the notices. Failure to effectively serve a break notice will mean that the lease will continue and can have significant consequences for the landlord or tenant.

Application for Landlord Consent

The lease may state that the landlord's consent is required, for example, to assign the lease to a third party. In this situation, the law places certain responsibilities on the landlord, and legal advice should be sought on any applications that are made by the tenant.

We regularly deal with applications for consent and can guide you through the process, the responsibilities that the law places on you and the options available to you.



Tenant Insolvency

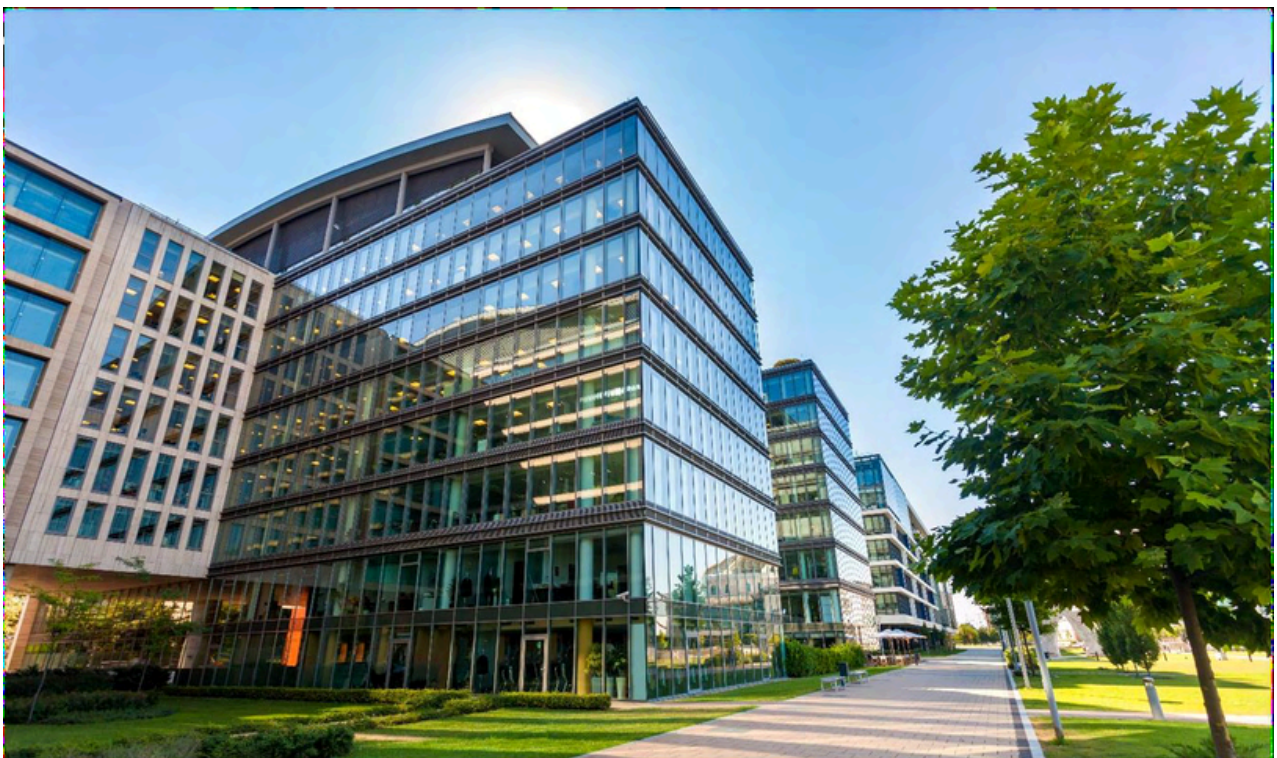
If a tenant goes into insolvency then as a landlord, you will want to know what position it leaves you in. We regularly advise on all types of insolvency, including liquidation and administration. We can also advise you on enforcement options under guarantees and if a guarantor requests an overriding lease.

Rent Reviews

We can advise you on the rent review procedures contained in your lease and the process that needs to take place to effect and record a rent review. Some rent reviews have triggers that involve serving notices. We can guide you through the process and correctly document any review that has taken place. We can also fight your corner if there is any dispute about the rent review.

Right of First Refusal

If you are considering making a disposal of your interest in a building that contains residential flats, then by law, you must offer it to the tenants before offering it on the open market. Failure to do so is a criminal offence. We regularly advise landlords in relation to their obligations and can guide you through the process which will initially involve serving notices on the tenants.



You're in safe hands!

If you would like further information about how we can help you with **Commercial Landlord Disputes**, or if you have any questions, please don't hesitate to contact a member of our **Property Litigation** team today.

Call: 0161 941 4000

Click: myerson.co.uk

Email: lawyers@myerson.co.uk



Proudly
employee
owned.



Myerson Solicitors

Grosvenor House, 20 Barrington Road,
Altrincham, Cheshire, WA14 1HB

Tel: 0161 941 4000 | lawyers@myerson.co.uk
www.myerson.co.uk



Myerson and Myerson Solicitors are trading styles of Myerson Limited, a company registered in England & Wales number 15557117, whose registered office is as above. The term "Partner" used in connection with Myerson Limited and its trading names, refers to a director of Myerson Limited or a senior employee of equivalent or similar status and does not create nor indicate any relationship of any legal partnership as between any of the persons so designated and/or by any such persons and Myerson Limited. A list of Partners is available for inspection at our registered office.

This firm is authorised and regulated by the Solicitors Regulation Authority number 8007783. VAT Registration Number: 380 4208 70.