



# Myerson Real Estate Litigation

Our guide to  
commercial landlord disputes

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# Welcome

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.

## Why Myerson?

We are proud to act on behalf of a wide range of clients be they property owners, landlords or tenants in connection with commercial and residential property disputes.

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.

We predominantly act for landlords, tenants, surveyors, developers, and property management companies across the UK. Whether you are a commercial or residential landlord or tenant we offer high standards of professionalism and a wealth of experience, advising you with any dispute that arises.

As a firm, we are proud to be ranked as 'Top Tier' in the prestigious international directory **The Legal 500**, and commended by The Times '**Best Law Firms 2019**'. This means you can be certain that you will be receiving the highest quality legal advice and that we can advise you on complex real estate litigation issues.

You can find out more about our Real Estate Litigation Team by clicking [here](#).



# How We Work.

Every client and case is different, and we are here to support you every step of the way.

**Personal Partner-Led Service.** Our experienced solicitors get to know you and your matter inside out, so we can best advise you. We know that dealing with litigation can be stressful and we aim to take that stress away from you. We strive to become your trusted adviser, providing value and most of all, a genuine, personal service.

**The Highest Level Of Expertise.** Combining commerciality, practicality and legal expertise enables us to deal with real estate litigation matters in the most effective way.

**A Team You Can Trust.** We help clients nationwide with complex cases, acting for businesses who need help resolving real estate litigation matters. You can rest assured that our expert team knows its stuff!



# Your Solicitors



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The solicitors that will be working with you are specialists.

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, overseen by Seán Hackett and Laura Pile, Partners in our Real Estate Litigation Department.

Your team of solicitors will provide practical advice and work with you in order to deal with your real estate litigation matters in the best way possible. This means you can concentrate on what's important, running your business.

You can find out more about our Real Estate Litigation Team by clicking [here](#).



# 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 is in breach of the terms of the lease, then you may want to forfeit the lease. You need to 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.





# Don't just take our word for it...

*"Thank you once again for your work on our matter, the service we've received from Myerson has been second to none".*

*"The team at Myerson Solicitors is timely and very responsive".*

*"Thank you very much for all your efforts, the professional and efficient management of the case and the shrewd counselling we received from you in this matter".*

*"The team at Myerson are client-friendly and clear and incisive thinkers".*

*"Thank you for all your help and support in successfully resolving my case, which would not have been achieved without your assistance".*

*"The team at Myerson are excellent at every level with tremendous strength in depth".*

*"The members of the team are all exceptional – proactive, excellent communicators, engaging and consistently highly effective".*

*"The team are exceptional, dynamic and creative litigators with excellent communication skills, tenacity and a proven track record of success in the most complex and challenging of cases".*

*"The team are commercially astute, incisive, positive and assured".*

*"All levels of the team reflect the same high level of knowledge and expertise allowing no weak links in the chain, which in turn ensures that best interests are safeguarded".*

To view more Myerson reviews visit our Review Solicitors page by [clicking here](#).



# You're in safe hands!

If you would like further information about how we can help you with real estate disputes, or if you have any questions, please do not hesitate to contact a member of our team today.

**Call: 0161 941 4000**

**Click: [myerson.co.uk](http://myerson.co.uk)**

**Email: [lawyers@myerson.co.uk](mailto:lawyers@myerson.co.uk)**



Because  
life is rarely  
**black** and  
**white.**



myerson



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