



# Myerson Real Estate Litigation

Our guide to  
commercial tenant 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



## Seán Hackett

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## Laura Pile

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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](#).

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# Commercial Tenant Disputes

We help tenants manage their properties or portfolio of properties to enable them to run their business efficiently and effectively by providing commercial and practical advice.

## Our Expertise

### Contested and Uncontested Commercial Renewal Lease Applications

We regularly act for tenants of commercial properties when they either want to renew a lease of commercial premises or want to contest a landlord's opposition to a renewal lease application 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, and we have a wealth of experience and can guide you through the process, serve the statutory notices and issue the Court proceedings.

We will work alongside our Real Estate Team who will negotiate and draft the renewal lease on your behalf.

### Forfeiture and Relief from Forfeiture

If your landlord serves a section 146 notice or forfeits your lease by changing the locks, then this will have a dramatic impact on your business. We can advise you as to whether the forfeiture was lawful and can make an application on your behalf for Relief from Forfeiture and any damages claim.

### Terminating your Lease

If you no longer want to continue with the lease, then we can advise you on the options available to you to exit the lease and vacate the premises. It may be that you can negotiate a surrender of the lease, exercise a break notice or that you sublet the property or assign the lease to a third party.



## Dilapidations

A landlord can bring a terminal dilapidation claim at the end of the lease for any breaches of the repairing obligations. We can advise you in relation to the claim, defend it and negotiate a settlement on your behalf.

It is not the case that a landlord can simply recover the cost of the repair works. There are many more aspects to a dilapidation claim, and we can advise you on any claim that is made and the options available to you to reduce your liability to the landlord.

We can also advise you on any claims the landlord brings during the term, for example, by serving a Notice to Repair and discuss the options available to you.

## 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 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.


We regularly deal with applications for consent, guiding you through the application process, the responsibilities that the law places on you and advising you on the options available to you if your landlord unreasonably withholds consent.

## Breach of Landlord Covenants

The landlord normally covenants with you to provide quiet enjoyment of the property. If the landlord breaches this covenant, then you will have a claim against the landlord and will be able to recover any losses you have suffered. We recognise that these claims can be urgent and require injunctive relief, and we have great experience of dealing with these matters.

## 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.



# 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.**



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