



myerson

Myerson **Property**

Our Guide to Commercial Tenant Disputes

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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 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 want to renew a lease of commercial premises or 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 to be followed. 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, which 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, this will dramatically impact 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, we can advise you on your options to exit the lease and vacate the premises. You may be able to negotiate a surrender of the lease, exercise a break notice, 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 on the claim, defend it, and negotiate a settlement on your behalf.

A landlord cannot 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 discussing the options available.

Break Notices

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

Application for Landlord Consent

For example, the lease may state that the landlord's consent is required to assign the lease to a third party. In this situation, the law places certain responsibilities on the landlord.

We regularly deal with consent applications, guiding you through the application process, explaining the law's responsibilities, and advising you on your options 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, 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 in dealing with these matters.

Rent Reviews

We can advise you on the rent review procedures 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.



You're in safe hands!

If you would like further information about how we can help you with **Commercial Tenant 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

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