

# Step by Step Guide to Enfranchisement of Leasehold Premises

Practical guidance on this complicated area

12 April 2011, London

6 Hours CPD

*Enfranchisement and lease extensions for both flats and houses has become a growing area of work for solicitors - make sure you can take advantage of this increasing trend.*

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**9.00** Registration and Coffee

**9.30** Chairman's Welcome and Introduction

*James Driscoll, Solicitor*

**9.45** Summary and Overview of Enfranchisement Legislation

- House lease claims and the Leasehold Reform Act 1967
- Flat lease claims and Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993
- Rights of first refusal under Part 1 of the Landlord and Tenant Act 1987
- Compulsory acquisition under Part 3 of the 1987 Act
- Recent reforms including the Housing & Regeneration Act 2008 amendments
- Roundup of recent developments

*James Driscoll, Solicitor*

**10.15** Collective Enfranchisement: Leasehold Flats

- Qualifying conditions
- Outline of procedure
- Sample forms
- Precedents of notices

*Nicholas Kissen, LEASE*

**11.15** Coffee

**11.30** Valuation Issues in Collective Enfranchisement Claims

- Hope value after *Sportelli*
- Worked example

*Seema Samios, W A Ellis LLP*

**12.15** Claims for a New Lease

- What is a 'long lease'?
- Ownership rule – avoiding the traps
- Non-qualifying leases
- Making the claim – getting it right
- Notices
- Precedents
- Intermediate landlords and mortgagees

- Lease extension as an alternative to collective enfranchisement
- Tax considerations

*Paul Brecknell, Withers LLP*

**1.15** Lunch

**2.15** Valuation Issues in Leasehold Reform

- Intermediate leases
- Relativity
- Worked examples

*Seema Samios, W A Ellis LLP*

**3.00** Tea

**3.15** A General Overview of the Leasehold Reform Act 1967 in the Light of the Changes Introduced by the Commonhold and Leasehold Reform Act 2002 and Recent Court Decisions

- What is a "house"?
- The rules of qualification
- How to make a claim
- The procedures summarised
- Is a lease extension worth the bother?
- Brief look at valuation principles

*Anna Favre, Pemberton Greenish*

**4.15** Applications to the Court and Tribunals

- Jurisdiction
- Applications
- Appeals
- Procedure

*Kerry Glanville, Pemberton Greenish*

**4.45** Chairman's Concluding Remarks and Questions

**5.00** Conference Close

# Step by Step Guide to Enfranchisement of Leasehold Premises

Like all areas of work which straddle property and property litigation, enfranchisement is a difficult area for practitioners, with frequent complaints by clients about delay and costs. It is therefore particularly important for lawyers working in this area to make sure that they are fully conversant with the latest position, including all the recent case law and statutory changes.

This well-established one day conference is designed for solicitors who are interested in developing their knowledge and expertise in this aspect of leasehold practice. It will also bring practitioners up to speed with all the latest developments in practice and procedure, valuation, and case and statutory law.

## Chairman:

**Professor James Driscoll** is a solicitor, an author and a Lawyer Chair of the Residential Property Tribunal. For 20 years he was a consultant solicitor with Trowers & Hamlin specialising in housing law. A prolific author of books and articles, he is the Consultant Editor to *Butterworths Residential Landlord and Tenant Handbook* (5th ed, 2010), to *Halsbury's Laws* (vol 22 'Housing') and several other books and loose-leaf works. James is a consultant editor to the *Landlord and Tenant Reports* and he contributes articles to the *Estates Gazette*, the *New Law Journal* and other publications. He is also a well-known speaker at conferences on housing and property law and he has held several academic positions in England and the USA. He is currently a Visiting Fellow at Essex University. James has contributed to *Enfranchisement Explained* (RICS).

## Speakers:

**Paul Brecknell** is a partner in the property department of Withers where he specialises in residential lease extensions and residents' buy-outs of their freeholds. He works closely with the leading valuers in this area. He is the author of the *Encyclopedia of Forms and Precedents Bulletin* on the Commonhold and Leasehold Reform Act 2002.

**Anna Favre** is a solicitor with Pemberton Greenish LLP. She is a recognised expert in the field of leasehold enfranchisement, acting for major London landed estates including Cadogan, Sloane Stanley and the Day Estates as well as a large number of tenants. Equally, she advises companies and high net worth individuals on all aspects of residential property law. Anna regularly presents at conferences and seminars, and has written for both the legal and general press on these specialist areas. She is a member of the Association of Leasehold Enfranchisement Practitioners.

**Kerry Glanville** is a partner and head of property litigation at Pemberton Greenish. She specialises in all areas of contentious property work including service charge disputes, rent reviews, dilapidations, forfeiture claims and enfranchisement. Kerry has been highlighted by *Chambers* as a "Leader" in her field.

**Nicholas Kissen** was in private practice as a solicitor for nearly twenty years and was a partner in a long-established firm in Ealing before joining LEASE in 2002. He is a senior adviser with responsibility for professional training and development. As such he has considerable experience of public presentations on all aspects of residential leasehold law.

**Seema Samios** is a chartered surveyor and a partner at W.A. Ellis. She has 15 years of experience primarily in the residential property sector, on landlord and tenant, enfranchisement and valuation matters. She has advised a wide range of landlord and tenant clients, including a number of the major estates, across central London and the South East.

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