



Ayesha Omar

Year of call: 2012

"If I may say so, Ayesha's work has been excellent and I will certainly instruct her in the future."

David Fleming, Partner at William Heath & Co. Solicitors

+44 (0) 20 7404 5252
aomar@4-5.co.uk



Practice Summary

Ayesha specialises in property law. Her practice encompasses all areas of real property and landlord/tenant litigation both residential and commercial. She regularly appears in the County Court and the First-tier Tribunal (Property Chamber) and has been appointed as junior counsel to the Grenfell Tower Inquiry.

Ayesha prides herself on being commercially minded and accessible to clients. She is equally at home with both advisory and litigation work. Her instructing solicitors have described her work as "excellent" and have said that "clients are always impressed with the clarity of her advice and advocacy skills".

Ayesha can be instructed directly in suitable cases under the Bar's Direct Access Scheme.

Housing

Ayesha has a strong practice in housing law and acts for both landlords and tenants. She has an in-depth knowledge of the area and provides her clients with a friendly and efficient service.

Ayesha has been appointed as junior counsel to the Grenfell Tower Inquiry.

Examples of recent instructions that Ayesha has acted and/or advised in:

- Possession proceedings based on rent arrears, anti-social behaviour, subletting and succession
- Possession proceedings involving trespassers
- Accelerated possession proceedings involving section 21 notices, licensing issues and tenancy deposits

- Claims for unlawful eviction
 - Claims for disrepair
 - Rent repayment orders
 - Proceedings relating to housing conditions and possession pursuant to section 33 of the Housing Act 2004
 - HMO licensing
 - Gang and anti-social behaviour injunction proceedings
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Leasehold disputes

Ayesha regularly appears in the First-tier Tribunal (Property Chamber). She is skilled in dealing with challenging and demanding clients and is able to work under pressure.

Ayesha has extensive experience of a broad range of disputes in this sector including service and administration charges, section 20 consultation, right to manage, lease extensions under the 1993 Act involving the determination of premiums and lease terms, collective enfranchisement, issues concerning missing landlords, breach of covenants and forfeiture.

Ayesha frequently delivers seminars on leasehold matters. She was recently invited to speak at the annual conference held by ARMA (Association of Residential Managing Agents) on case-law and legislative developments in the sector.

Real Property

Ayesha accepts instructions in real property matters. She has acted in cases concerning mortgage possessions, trusts of land and co-ownership disputes, land registration, neighbour disputes under the Access to Neighbouring Land Act 1992 and charging orders.

Ayesha is conscious of the need to provide her clients with clear and practical advice in order to minimise their exposure to the significant costs which are so often incurred in this type of litigation.

Commercial L&T

Ayesha advises both landlords and tenants in cases involving business lease renewals, dilapidations, break clauses, alterations and improvements, breaches of covenant and forfeiture.

Ayesha is able to quickly identify the important aspects of a case and provide her clients with a professional and dedicated service.

Professional Memberships

- Property Bar Association
 - Bar Pro Bono Unit
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Qualifications

- Bar Professional Training Course- Nottingham Law School (Very Competent)
 - LLB (Hons)- University of Leicester (Upper Second Class)
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Publications

- Current regulations don't go far enough, News On The Block, October 2018
 - Gang injunctions, human rights and standards of proof, Local Government Lawyer, 1 June 2018
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Webinars

- Residential property law yearly round-up, LexisNexis, 10 December 2018
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Reported Cases

- *Triplerose Limited v Bronwen Stride* [2019] UKUT 0099 (LC): Ayesha (led by Justin Bates) acted for the successful Appellant. The case concerned an application by the landlord, a lessee-owned company, to vary the Appellant's lease under section 35, Landlord and Tenant 1987. The effect of the proposed variation increased the leaseholder's service charge liability. The case considered whether the terms of the lease were unsatisfactory for the purpose of section 35 of the 1987 Act and if so, the approach to be taken in determining prejudice and compensation.
 - *Leaseholders of Ivory and Calico House v Cinnamon (Plantation Wharf) Ltd* [2018] UKUT 421 (LC) – Ayesha (led by Justin Bates) acted for the successful Respondent. The case explored the limits on the role of section 27A(6), Landlord and Tenant Act 1985.
 - *Jones v Birmingham City Council* [2018] EWCA Civ 1189: Ayesha (led by Jonathan Manning) acted for the successful Respondent. Gang injunctions and ASB injunctions do not involve the determination of a criminal charge and therefore do not engage Articles 6(2) or 6(3) ECHR. Nor does the requirement of a fair trial under Article 6(1) require the criminal standard of proof to be applied.
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Other

Before coming to the Bar, Ayesha volunteered as a Duty Adviser and a caseworker with Shelter Housing Aid and Research Project providing support and advice to vulnerable clients facing serious housing problems. Ayesha has also taught Constitutional and Administrative Law to undergraduate students at the University of Leicester.
