



## Olivia Ford

Year of call: 2013

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



## Practice Summary

Olivia has a general housing and property law practice. She also has experience in commercial litigation, and a keen interest in the Consumer Rights Act 2015.

Prior to coming to the Bar, Olivia worked as a consultant at a construction law firm which involved assisting in the resolution of a multi-million pound dispute relating to railway signal renewals. Her responsibilities included drafting claim documents, attending weekly conferences and analysing 300 files of historic information therefore Olivia was able to gain skills from an early outset in working efficiently with strong attention to detail.

## Property

Olivia is passionate about property law and is building her practice across a range of areas following completion of a heavily property centred pupillage at a common law set in 2015.

In her own practice, Olivia has been exposed to a diverse range of property matters including:

- Forfeiture in both commercial and residential leases;
- Claims for rent arrears and service charges in beer tie leases;
- Trespass and nuisance, including disputes concerning property damage, tree root encroachment and negligent construction works;
- Restrictive covenants and overage provisions;
- Adverse possession and boundary disputes;

- Leasehold enfranchisement;
- Misrepresentation in conveyancing transactions;
- Applications in respect of service charges in the FTT;
- Possession orders, including suspension of warrants, mortgage repossessions, service occupiers, mobile homes and agricultural tenancies;
- Tenancy deposit claims; and
- Charging orders and orders for sale, including applications made by trustees in bankruptcy.
- The status of agricultural tenancies; and
- Lease renewal under the Landlord and Tenant Act 1954

Recent work has included:

- Advising in a dispute whereby tenancies had been granted by and to a sole trader and a company in the wrong legal entities. The case involved consideration of Bruton tenancies, tenancies by estoppel and implied tenancies.
- Representing a defendant landlord in a dispute concerning surrender of a lease for equestrian premises. The dispute also concerned detention of horses under the Animals Act 1971.
- Representing a trustee in bankruptcy in defending an application for a charging order under section 330 of the Insolvency Act 1986.
- Advising and drafting in a claim relating to Japanese Knotweed. The case involved consideration as to whether damages can be awarded for innocent misrepresentation where rescission is not available as a remedy.
- Advising and drafting a claim concerning the maintenance of closed churchyards pursuant to the Local Government Act 1972

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## Anti-Social Behaviour

Olivia has a wealth of experience in anti-social behaviour, having undertaken a three-month secondment to a local authority during which she regularly appeared in committal hearings and injunction applications, and also drafted documents for use in closure order applications. Olivia's experience includes dealing with issues of capacity, repeatedly remanding defendants in committal proceedings and appearing in the Youth Court.

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## Housing

Prior to commencing pupillage, Olivia spent time representing clients pro bono in the county court. Such a role allowed Olivia to represent both private and secure tenants in possession proceedings and gain an understanding of human rights defences.

Olivia has been able to develop her experience by regularly representing landlords and tenants in the full range of possession proceedings.

Recent work has included:

- Defending a possession claim on the basis that the defendant had succeeded to the assured tenancy under the Housing Act 1988;
- Appealing an order suspending a warrant for possession for temporary accommodation on the basis that

the court has limited discretion;

- Advising in respect of seeking possession of a tenancy under the Rent (Agriculture) Act 1976;
  - Successfully arguing that a tenancy was not a secure tenancy and fell within Part 7 of the Housing Act 1985; and
  - Successfully opposing disability discrimination, Article 8 and public law defences.
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## Commercial

Olivia has a broad commercial practice and receives instructions on behalf of both consumers and businesses in claims of all values. Her practice encompasses claims arising out of breach of contract, debt recovery and consumer rights, and she has regularly appeared in court on trials, case management conferences, interim applications and enforcement matters. Previous cases include:

- Successfully arguing that a leading windows and glass company had engaged in unfair commercial practices;
  - Appearing in the High Court to enforce a judgment arising from fraud;
  - Successfully representing a leading utilities provider on a number of claims and injunctions involving breach of contract and harassment;
  - Advising clients under service agreements on issues of misrepresentation and breach of contract for a range of machines such as photocopiers and printers;
  - Advising on estoppel as an exception to the '*nemo dat*' rule in interpleader proceedings;
  - Appearing in a case involving ownership of a dog; and
  - Appearing on behalf of companies in a range of matters including rectification of the register and extensions of time for registering a charge."
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## Memberships

- Bar Pro Bono Unit
  - ADR Group Accredited Mediator
  - Housing Law Practitioners Association
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