



Salmaan Hassanally

Year of call: 2017

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Practice Summary

Salmaan currently specialises in property law, and has a growing commercial / chancery practice. He does, however, accept instructions in all areas of Chambers' work.

Prior to coming to the Bar, Salmaan worked at PwC providing tax advice to high-net-worth individuals. After pupillage he undertook secondments to Gowling WLG and Rajah & Tann, where he gained experience in insolvency law as well as company and partnership disputes.

Outside of work, Salmaan can often be found on his allotment thinking up new ways of getting his chickens to lay more eggs. He has an interest in the history of art and previously worked at The National Gallery.

Commercial & Chancery

Salmaan has provided advice in relation to a wide variety of commercial and chancery matters: from admiralty claims in rem, to contentious probate disputes.

Salmaan has a growing insolvency practice and represents corporate clients in relation to winding up petitions in the Insolvency and Companies Court, and individuals in relation to bankruptcy petitions and applications to annul bankruptcy orders.

As a 2019 Pegasus Trust Scholar to Rajah & Tann in Singapore, Salmaan worked on a variety of corporate and partnership disputes involving breaches of trust and fiduciary duty, as well as "dishonest assistance" and "knowing receipt". He also had the opportunity to assist in complex, international arbitrations based on SIAC Rules.

On secondment to Gowling WLG, Salmaan acted for institutional investors in connection with their business

tenancies and with issues relating to insolvency. He regularly advised on the interpretation and validity of notices: including statutory notices, notices for which there exist prescribed forms, and contractual notices such as those served pursuant to a break clause in a lease or CVA.

Salmaan also has a range of general commercial experience including:

- construction of contractual terms (including implied terms);
- unfair terms in contracts involving consumers;
- determining when time is of the essence for the purpose of a contract;
- applications for pre-action disclosure;
- applications for judgment in default;
- applications for relief from sanctions;
- set aside applications;
- orders for sale, including where there is a mortgage company and/or joint owner, and enforcement of such orders where one joint owner is refusing to co-operate; and
- drafting Part 36 Offers and Tomlin Orders.

Property & Housing

During pupillage Salmaan was exposed to the full spectrum of property law including possession proceedings and the various defences to it, including technical defences in relation to the notice; disrepair and dilapidation claims; freehold covenants and leasehold disputes; EPA prosecutions; unlawful eviction; licensing; closure orders; shared ownership; right to buy; and injunctions. He now regularly appears for landlords and tenants alike in all manner of proceedings.

In this context, Salmaan has provided advice as to:

- the validity of notices pursuant to sections 8 and 21 of the Housing Act 1988;
- the merits and likely quantum of disrepair claims;
- whether the use of an apartment for short-term lets through Airbnb was a breach of covenant;
- causes of action which could be taken against a leaseholder who was advising others not to pay their service charge;
- whether the duty to make reasonable adjustments extends to making structural changes to a building to enable those with mobility issues to use their property;
- the basis on which demands for service charge could be challenged;
- whether a landlord's duty to repair the structure and exterior of the property could encompass the removal of unauthorised alterations;
- in what circumstances the burden of a positive freehold covenant runs with the land;
- the enforceability of an order for possession, made by consent;
- the effect, on the existing management company, of a new company acquiring the right to manage; and
- whether an alternative mobile home pitch was "broadly comparable" to the original site.

In addition to his active Court practice Salmaan represents clients at mediation and has previously been instructed in relation to resolving boundary disputes between neighbouring landowners, and altering rights of way across tenanted agricultural land.

Public & Administrative

Salmaan has a keen interest in public law and is member of the “Junior Junior” scheme run by the Government Legal Department. He also works with BID to represent immigration detainees on a pro bono basis.

During pupillage Salmaan worked on a number of judicial reviews, including a challenge to the “Rogue Landlord and Agent Checker” set up by the Mayor of London, and a challenge to the HMO licence fee charged by a local authority (*R (Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin)). He also drafted advice in relation to extent to which local authorities are able to engage third-parties to discharge functions on their behalf.

Salmaan also has experience of homelessness appeals and local authority allocation schemes.

Scholarships

- Pegasus Trust Scholarship to Singapore (Inner Temple)
 - Exhibition Award (Middle Temple)
 - BPTC Major Scholarship (Middle Temple)
 - GDL Major Scholarship (Middle Temple)
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Professional Memberships

- The Honourable Society of the Middle Temple
 - Property Bar Association (PBA)
 - Administrative Law Bar Association (ALBA)
 - Social Housing Law Association (SHLA)
 - Association of Tax Technicians (ATT)
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Languages

- Arabic (working knowledge)
 - Gujarati (working knowledge)
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