

****NEW for 2019****

Housing Disrepair Conference

Tuesday 26th February 2019 9.30am - 3pm

Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

- 9.10 – 9.30 Registration
- 9.30 – 9.40 **Welcome & introduction ~ Chris Topping, Broudie Jackson Canter**
- 9.40 – 10.20 **Housing Disrepair: A round-up of case law ~ Josephine Morton & Catherine Fearon, Brabners**
- What constitutes a S.11 defect?
 - Assessment of damages
 - Lessons we can learn
- 10.20 – 11 **The Pre-Action Protocol for Housing Disrepair Cases: key issues and pitfalls for tenants, landlords and lawyers ~ Paul Burns, Exchange Chambers**
- Obligations on tenants, landlords and their lawyers
 - Failure(s) to follow the Protocol
 - The Protocol and the Courts
 - Effective strategies for managing disrepair claims
- 11 – 11.15 Refreshments
- 11.15 – 12 **Tips for Tenants ~ Nina Patel & Jonathan Davidson, Broudie Jackson Canter**
- Repairs could be contractual if not s11
 - Issues of notice – not just checking repair records, did housing/rent officer know, calls to local offices, any visits to the property by officers etc.
 - Funding: is legal aid available?
- 12 – 12.30 **A surveyor's eye view! ~ David Walter, Restoration Design Partnership**
- Housing Disrepair Protocol – the Duties of an Appointed Expert
 - Section 11 Defects
 - Breach of Contract – Landlords Covenant to Repair
 - Survey Techniques
- 12.30 – 1.15 Lunch
- 1.15 – 2 **What is happening in the future which could impact disrepair claims ~ Sian Evans, Weightmans**
- Homes (Fitness for Human Habitation) Bill
 - Implementation of Fixed fees
- 2 – 2.45 **Specific Performance and Injunctions ~ Chris Larkin, 4-5 Gray's Inn Square**
- Specific Performance
 - Costs
 - Injunctions
 - Considerations
 - CPR 81
- 2.45 – 3 Summary & close

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A little bit about the speakers

Paul Burns is Head of Local Government & Social Housing at Exchange Chambers. He is regularly instructed in high profile and test case litigation. In 2015 he was appointed Junior Counsel to the Crown by the Attorney General. He is a Member and Scholar of The Honourable Society of Lincoln's Inn, a Member of the Chartered Institute of Housing and was appointed Chair of the LMH Group in April 2017. He sits as a Legally Qualified Chair at Police Misconduct Hearings and at the Medical Practitioners Tribunal Service. Named one of the top 10 UK 'Future Stars of the Bar' by The Times and a former Barrister of the Year at the Liverpool Law Society Legal Awards, Paul is independently recognised as a leader in the fields of local government law, social housing law and property law in The Legal 500 and Chambers UK 2019.

Jonathan Davidson is a solicitor at Broudie Jackson Canter. He completed the Diploma in Law at Manchester Metropolitan University in 2004 and the Legal Practice Course at Liverpool John Moores in 2006, joining Broudie Jackson Canter the same year. Jonathan is highly experienced in dealing with tenants, with his case load consisting entirely of housing matters including disrepairs. Before training as a solicitor, Jonathan worked at the Whitechapel Centre for nine years helping people with drug and alcohol problems. He also acts as a mentor to law students at Liverpool universities and is a member of the North West Housing Law Practitioners Association.

Sian Evans qualified in 1990 and joined Weightmans as a partner in 2007. Sian is the Head of the Housing Sector at Weightmans and is a solicitor advocate. She was the Chair of the Law Society Housing Committee (2011-14) and currently remains a member of that committee; she sat on the board of Space New Living Limited, Salford from 2000-2007 and contributed to the Which Guide to Renting and Letting 07, 08, 10 and 12 editions. Sian is a member of the Property Litigation Association.

Catherine Fearon is a Senior Associate in the Housing & Regeneration team at Brabners. She qualified in 2010 after completing a training contract within an in-house team as part of a Registered Provider. Having trained in an in-house team she has been exposed to a variety of legal problems and has a good working knowledge of the hurdles Registered Providers face on a day-to-day basis. Catherine deals with all aspects of housing management and has a large housing disrepair caseload. Catherine is also a board member and member of the Audit Committee of a Registered Provider having been appointed in February 2015.

Chris Larkin is a barrister at 4-5 Gray's Inn Square. He is a specialist Housing and Property barrister and joined 4-5 Gray's Inn Square from Arden Chambers following a recent merger of the two sets. His work covers all aspects of both residential and commercial landlord and tenant litigation. He advises and represents clients from the private and public sector. He is regularly instructed by both landlords and tenants.

Josephine Morton completed her training contract with specialist social housing firm Bremners and qualified in 2008 and joined Brabners in 2009 following the firm's merger with Bremners. Josephine is a Senior Associate in the Housing & Regeneration team and specialises in contentious housing management, including a large housing disrepair caseload. Josephine's client base ranges from small housing co-operatives to national Registered Providers throughout the North West and beyond. She also acts for private landlords.

Nina Patel is a Director and Head of Housing & Welfare at Broudie Jackson Canter. She has a Diploma in Criminal Law and Justice from Leicester University and has now built her reputation as an acknowledged housing specialist, having dealt with many difficult and complex legal cases, particularly those arising from Mental Health or capacity issues. Nina joined Broudie Jackson Canter in 2001, having previously worked for the Public Defence Advocacy in Kentucky (USA) on appeals for defendants facing the death penalty.

Chris Topping is a Board member and Director of Broudie Jackson Canter. Former member of the Law Society Mental Health Tribunal Panel and was honoured by the Law Society at the 2016 Excellence Awards, winning the prestigious Human Rights Lawyer of the Year award. Chris is also a member of the Police Action Lawyers Group. Chris has been a director of Liverpool Law Society since 2012 and will be President of the Society in 2019, having been LLS's Access to Justice Committee Chair from 2012 – 2017.

David Walter commenced his career as an Articled Pupil in 1963. He qualified by examination as a Chartered Building Surveyor in 1970. He was elected a Fellow of the Royal Institution of Chartered Surveyors in 1981. The same year he undertook his first inspection with regard to Housing Disrepair and since that time he has undertaken several thousands of inspections with regard to Housing Disrepair and has seen the changes brought about in Legal Aid funding of cases and the introduction of the Civil Procedure Rules and the Housing Disrepair Protocol. More recently he has seen an increase in the number of instructions to act as a Single Jointly Appointed Expert. David continues to work as a Building Surveyor, undertaking Project Management duties for the repair and maintenance of property and continues to act as an Expert Witness.

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