

Liz Davies

First Instance Cases

Barrett v Westminster City Council (2015) Legal Action February 2016, County Court at Central London: successful homelessness appeal on vulnerability assessment and considering availability of third party support and public sector equality duty.

Magoury v Brent LBC (2015) Legal Action February 2016, County Court at Mayor's and City of London: successful homelessness appeal on issue of becoming homeless intentionally, raised a point considered by the Supreme Court in Haile v Waltham Forest LBC.

HB v Haringey LBC (2015) Legal Action December 2015/January 2016, County Court at Mayor's and City of London: successful homelessness appeal on vulnerability assessment.

Premier Property Management v Adia (2013) Legal Action April 2014, Bromley County Court, assessment of damages for breach of repairing covenant and for unlawful eviction.

H v Southwark LBC (2014) Legal Action March 2014, Central London Trial Centre: homelessness appeal on inadequate reasons when considering whether probability of violence.

Oyebanji v Waltham Forest LBC (2013) Legal Action February 2014, Central London Trial Centre: consideration of medical evidence from psychotherapist and psychiatrist concerning suitability of accommodation.

Ali & Grover v Ealing LBC (2013) Legal Action November 2013, Brentford County Court: sufficiency of inquiries leading to a "becoming homeless intentionally" decision.

Malik v Brohier (2012) Legal Action May 2013, Bow County Court: tenancy deposit paid prior to Housing Act 2004 coming into force should have been protected when a new fixed-term tenancy was granted, and the deposit retained, after the implementation of Housing Act 2004 (protection of tenancy deposits).

Hussain v Mir (2012) Legal Action September 2012 Clerkenwell & Shoreditch County Court,: assessment of damages for unlawful eviction and assault;

Lappin v Surace (2012) Legal Action August 2012, Romford County Court: District Judge was wrong in law to conclude that requirements of tenancy deposit scheme had been complied with when tenant had denied receipt of prescribed information and DJ had not heard evidence; also wrong in law to conclude that the s.21 notice was valid when it specified the date for possession as being the day before rent fell due, rather than the last day of the periodic tenancy; there is no conceptual difficulty in the rent due date falling on a different day to the day of the beginning of the periodic tenancy;

Greenwich LBC v McMullan (2011) Legal Action May 2012, Woolwich County Court: successful defence of Ground 16 possession claim (succession to secure tenancy more extensive than reasonably required), held that not reasonable to make an order for possession;

Quadir v Tower Hamlets LBC (2011) Legal Action April 2012, Central London County Court: successful s.204A Housing Act 1996 appeal;

London Borough of Southwark v Barrett (2011) Legal Action June, Bromley County Court: relevance of Art 8 proportionality defence;

Nazokkar v Barnet LBC (2010) February 2011 Legal Action, Central London County Court: homelessness appeal on suitability of accommodation, decision quashed as local authority had not ascertained confirmation of epilepsy, the type, the number and rate of seizures, the medication and the amount of control the medication might have had. The officer did not obtain any information as to the risk or further risk that might be expected in small accommodation of this sort;

GMAC RFAC Ltd v Jones (Elegushi as Second Defendant) (2010) January 2011 Legal Action 34, Lambeth County Court: Elegushi applying to be joined as Second Defendant and for execution of the warrant to be postponed for a two month period, pursuant to s.1(4) Mortgage Repossessions (Protection of Tenants etc) Act 2010;

Shazad v Khan (2010) January 2011 Legal Action, 20, Birmingham County Court: merits and quantum on action for disrepair: 40% of rental value for disrepair to bedrooms and front entrance door, £2,000 per annum for intermittent heating and hot water;

Harlow District Council v Snellgrove (2010) October Legal Action, 30, Harlow County Court: claim for possession under Ground 16, Schedule 2, Housing Act 1985 successfully defended as not reasonable to make an order for possession given Defendant's personal circumstances;

Bristol City Council v McCalla (2009) June Legal Action, Bristol County Court: permission to Defendant to defend claim for possession by way of public law defence;

Khadija Ali v Bristol City Council (2007) October Legal Action 26, Bristol County Court: homelessness appeal on issue of whether accommodation that has been classified as Category One hazard can be reasonable to continue to occupy;

Daley & others v Mahmood & Rahman [2006] 1 P&CR D29, Central London County Court: significant award of damages unlawful eviction;

Garcia v Khan (2005) March Legal Action 21, Bow County Court: liability and quantum on unlawful eviction claim;

Samad v Okello (2004) November Legal Action 27, Shoreditch County Court: quantum of disrepair claim, including rat infestation and lack of heating and hot water;

Dorival v Simmons (2003) August Legal Action 30, Lambeth County Court: liability and quantum on unlawful eviction claim;

Ahmed v Bains (2001) September Legal Action 25, Brentford County Court: liability and quantum on unlawful eviction claim;

Tvrkovic v Tomas (1999) August Legal Action 29, Brentford County Court: liability and quantum on unlawful eviction claim.