

Tanfield Chambers

Timothy Polli

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Areas of Practice

Business & Commercial
Property

Career

1997 Called to the Bar

Profile

Tim Polli specialises in all aspects of real property and both commercial and residential landlord and tenant law. He has particular experience of boundary and easement disputes, claims for adverse possession, claims arising out of mortgage fraud and right-to-buy fraud, claims to beneficial interests pursuant to resulting or constructive trusts, the enforcement of restrictive covenants, the renewal of business tenancies, dilapidations claims, residential possession claims and enfranchisement.

Things frequently go wrong in relation to property matters, and Tim is regularly instructed in relation to professional negligence claims, principally against solicitors, surveyors or engineers.

Tim is also instructed in general contractual/commercial claims, including claims concerning franchise agreements, claims concerning building contracts, and claims for the recovery of the proceeds of civil fraud. He has substantial expertise in obtaining emergency interim relief where appropriate.

Tim combines an analytical style with a 'can do' approach to problem solving and a common-sense awareness of the commercial realities underpinning litigation. Tim is familiar with the requirements of working with a team of solicitors and/or Counsel and, when necessary, is usually available out of normal office hours.

Tim regularly gives lectures and seminars on property, professional negligence or general contract / commercial topics.

Experience

Property

Advising upon and drafting standard tenancy agreements and terms and conditions for national estate agency

Regularly instructed by non-contentious property departments to provide advice as transactions are being negotiated or sites assembled, and, on an urgent basis, when exchange or completion is looming

Advisory or advocacy work for, amongst others, Credit & Mercantile plc, UCB Homes Loans Corporation Ltd, London International Exhibition Centre plc, Bellway Homes Ltd, Ruskin Homes Ltd, ADT Fire & Security plc, Century Life plc, Ask Restaurants Limited and the Church Commissioners for England & Wales

Advocacy and advisory work for local authority property departments, particularly in relation to the right to buy and repairing obligations

Significant Cases

Saggars v UCB Homes Loans Corporation Ltd & others [2008]

Claim in the Chancery Division arising out of mortgage fraud, involving a professional negligence claim against the solicitors who were acting for the lender

Goldman v Katz & others [2007]

Claim in the Chancery Division brought by a private investor in a care-home business who was denied the 50% investment (worth about £2 million) to which he claims he was entitled

Warind v Ashfaq & others [2007]

Currently instructed to advise and represent a property investor/developer who is defending a claim to a 50% share in a portfolio of properties worth somewhere between £3.5 million and £5 million

Currently instructed to advise an institutional lender in relation to 115 separate mortgage accounts (together worth about £17 million) in relation to all of which the solicitors acting for the lender failed to disclose the involvement of a property club and back-to-back sales (or similar arrangements)

Publications

Contributor, *Service Charges and Management: Law & Practice* 2nd edition (Sweet & Maxwell)

Memberships

Committee Member, Property Bar Association (since 2004)

Member, Chancery Bar Association

Qualifications

MA (Oxon)

BCL (Oxon)

Directory Quotes

'Adapts well to any given situation or opponent, and handles matters firmly but without aggression'

Chambers UK 2010

'Business-focused and sensible'

Chambers UK 2009

'A man on his way up'

Chambers UK 2008

'Direct, honest and thoughtful... able to speak in simple English'

Chambers UK 2007