

TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



Daniel Dovar

Year of call
1997

Daniel specialises in real property and leasehold law with an emphasis on landlord and tenant.

A leading junior in the Legal 500 for Property Litigation, in which he is described as 'superb', 'particularly good at the Upper Tribunal' and an 'Incredible advocate'.

He is also recommended as a leader in the field of Real Estate Litigation in Chambers and Partners who have described him as having 'Excellent knowledge of property-related disputes'.

He is the co-author of Business Premises (5th Ed), Residential Possession Proceedings (now in its 10th edition), and an editor of the Landlord and Tenant Review as well as a contributor to Chambers' Service Charges and Management text (3rd Ed).

Commercial Landlord & Tenant

Daniel's commercial practice includes business lease renewal claims, property joint venture disputes, rent reviews and forfeiture cases.

He advises regularly on development issues such as restrictive covenants, building restrictions, rights of way and easements.

Residential Landlord & Tenant

On the residential side, Daniel deals with service charge disputes and right to manage claims. He receives regular instructions on enfranchisement and transactional matters as well as litigation and professional negligence issues.

Notable Cases

Point West v Bassi [2019] UKUT 137 (LC)

Scope of FtT powers on review – s.20B time limits when landlord provides the service – s.19 assessment

Rotenberg v Point West GR Ltd [2019] UKUT 0068 (LC)

Multiple leaseholder representation – Tribunal Procedure Rules, rule 14 – Section 20C orders

Reedbase v Fattal [2018] EWCA Civ 840

Construction of lease – making good obligations – statutory service charge consultation – whether change in works invalidated consultation procedure.

Coates v Marathon Estates Ltd [2018] UKUT 0031 (LC)

Enforcement of FtT's orders – appointment of a manager – route by which final orders of the FtT can be enforced by way of penal notice and committal.

Winchester Park Ltd v Sehayek [2016] EWHC 1216 (QB)

Costs for injunction to restore lift service – whether landlord's obligations to provide service suspended due to non payment of service charges.

Cantelmi v Hart [2016] UKUT 35 (LC)

Boundary dispute – construction of conveyances of unorthodox semi detached houses – weight to give to evidence.

Post Box Ground Rents v Post Box RTM [2015] UKUT 0230 (LC)

Right to Manage applications under CLRA 2002 – whether a withdrawal is simply a withdrawal or is in fact a dismissal by withdrawal so as to trigger additional cost liability under s88.

R (on the application of O Twelve Baytree Ltd) v Rent Assessment Panel [2015] 1 WLR 276; [2014] 3 All E.R. 732

Right to Manage applications under CLRA 2002 – right to withdraw a claim – cost consequences.

Furlonger v Lalatta [2014] EWHC 37 (Ch); [2014] L.&T.R.14

Construction of rent capping mechanism in leases linked to rateable value – application of Sudbrook Trading Estate to fix broken mechanism.

Ishack v Keskin [2014] CLCC (Ch)

Return of sums paid in anticipation of lease assignment that failed.

Simpole v Chee [2013] EWHC 4444 (Ch)

Ratification of contract for sale of land – seller was unaware that signature had been forged at time of exchange.

Cole v Billington [2013] EWCA Civ 502; [2014] B.P.I.R. 350

Challenge to amount charged against property.

Westland v MSD [2013] CLCC

Business lease renewal – annual rental for grade 1 listed former church with restrictive user clause.

Gritz v West End Quay Estate Management Limited [2013] UKUT 338 (LC)

Appeal from the LVT – Construction of service charge provisions under terms of occupational lease – whether encompassed recovery of expenditure incurred in relation to areas outside the estate and levied by a third party.

Mayfair & Belgravia Commercial Investments v Dukeminster Limited [2012] CLCC

Business lease – claim for dilapidations – cost of proceedings for permission to forfeit under s1 of the Leasehold Property (Repairs) Act 1938.

Shaw v East Bank Studios Limited [2012] HM Land Registry Adjudication

Rectification of the register on the grounds of fraud.

Stanmore v Fairfield [2012] CLCC

Business lease renewal – s30 (1) (f) Landlord and Tenant Act 1954 – whether sufficient evidence of funding for development of hotel into residential apartments – date for termination – injunction for access – costs.

Recommendations

"An exceptionally nice guy who is rated highly."

Chambers UK 2020

"Very down to earth, responsive and commercial in his advice."

Legal 500 2020 (Property Litigation)

"He has particular expertise in commercial and residential property litigation as well as general landlord and tenant matters."

Chambers UK 2019

"Gains the confidence of judges with his depth of knowledge."

Legal 500 2018

"Very persuasive and intelligent."

Chambers UK 2017

"Particularly good at the Upper Tribunal."

Legal 500 2016

"Knowledgeable...and a very good advocate."

Chambers UK 2016

"Excellent knowledge of property-related disputes."

Legal 500 2015

"An incredible advocate...Offers a comprehensive and friendly service."

Chambers UK 2015

"He is exceptional. He knows the law very well, he's practical and clients like him. As an advocate, Daniel is polite but authoritative and is clearly respected by judges and his peers."

Chambers UK 2014

"Highly experienced with a strong focus on landlord & tenant work."

Legal 500 2014

Appointments

- Judge of the First-Tier Tribunal (Property Chamber) (2011)

Publications

- Boundaries and Easements 7th Edition (Sweet & Maxwell)
- Business Premises: Possession & Lease Renewal 6th Edition (Sweet & Maxwell)
- Residential Possession Proceedings 10th Edition (Sweet & Maxwell)
- Service Charges & Management 3rd Edition (Sweet & Maxwell)
- Megarry's Manual of the Law of Real Property 9th Edition (Sweet & Maxwell)
- Landlord & Tenant Review – Editor (Sweet & Maxwell)

Qualifications

- BVC (Very Competent), Inns of Court School of Law
- LLB (Hons), Bristol University

Memberships

- Chancery Bar Association
- Property Bar Association