

TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



Richard Alford

Year of call

2011

Richard Alford has an established and growing practice focusing on property and landlord and tenant work. He is delighted to accept instructions in any property law matter, as well as a wide range of commercial disputes.

Richard enjoys technical matters and thrives on difficult cases and tricky points of law. He regularly appears in the First-tier Tribunal (Property Chamber), the County Court and the High Court.

Real Property

Richard is regularly instructed to advise and/or to act in a wide range of property disputes. He has extensive experience of:

- Leasehold enfranchisement and right to manage
- Service charges disputes
- Forfeiture and breach of covenant
- Commercial lease renewal and termination
- Mortgages and repossession
- Boundaries and easements
- Party walls
- Trusts of land and ownership disputes
- Residential possession proceedings

Richard's property work in 2019 has included:

- A county court determination of costs due under a lease in circumstances where damages for disrepair fell to be set off against service charges found to be due.
- Representing a number of property guardianship companies in disputed possession proceedings.
- Advising on several cases involving imperfect securities and subrogation.
- Achieving an excellent settlement for a tenant challenging unreasonable service charges.
- Advising a tenant in a case of alleged widespread fraud by freeholder and managing agent.
- Obtaining an order for specific performance from the High Court in a sale and purchase dispute.
- Appearing in a high value central London lease extension application.
- Representing the tenant in a complex landlord and tenant dispute combining issues of enfranchisement and historic alleged breaches of lease.
- Appearing in numerous court applications relating to the Leasehold Reform Housing and Urban Development Act 1993.

Commercial Disputes

Richard regularly appears in commercial disputes in both the High Court and the County Court. He has acted in a range of matters, from straightforward breach of contract claims to high-value partnership and shareholder disputes. He is often called upon to advise on company law matters, particularly in relation to landlord and tenant issues.

Richard also has experience in bankruptcy and insolvency proceedings and drafting commercial agreements.

Commercial work this year has included:

- Appearing in factually complex joint-venture / shareholder dispute
- Successful obtaining judgment in a case involving a contract to import commodities
- Advising on a high-value construction breach of contract claim
- Representing the claimant in factually complex whistle-blowing dispute

Employment

Richard also acts in employment disputes and has wide experience of employment proceedings and the Employment Tribunal. Richard cut his teeth in the Employment Tribunal and thus can boast great experience of tribunal advocacy and factually complex emotionally-charged disputes. He has appeared in the Employment Appeal Tribunal on a number of occasions.

Notable Cases

St Peter Total Building Solutions Ltd v Rhodes [2020] 7 WLUK 198

The court refused to set aside a default judgment obtained by a building company against a property owner in proceedings to enforce an adjudicator's decision. The property owner had no reasonable prospect of successfully defending the claim where she had not expressly raised any jurisdictional objection at the outset of the adjudication and, even taking into account her ill health, the application had not been made promptly.

Live in Guardians v Olajuwon (2019)

Richard acted for the successful claimant, a property guardianship company seeking to evict an occupant who contended that she had long-term rights of occupation. Matter tried over three days at Central London County Court.

Thakali Welfare Society UK Limited v Gauchan and others (2018)

Trusts of land and trustee act application relating to a property owned by members of an unincorporated association culminating in a successful multi-day trial in the Central London County Court Chancery List. Richard acted to the successful beneficiaries and the association.

Penfold v Garikayi (2018)

Richard acted for the successful claimant in a domestic trusts of land dispute. The matter was determined in a multi-day trial at Central London County Court and attracted some media interest, which you can read [here](#).

Stadium West Capital v Fighting Fit Sport (2018)

Commercial landlord and tenant dispute involving issues of lease construction and the parties' rights where the tenant holds over after the end of the term.

Heather Capital v Fitzgerald and Fitzgerald (2018)

Richard successfully argued that a legal charge was not binding on his client due to assumed undue influence and the failure of the lender to follow the **Bank of Scotland v Etridge** guidelines.

Doyle v Smith and another (2018)

Acted for landlord in multi-day service charge dispute in the First-tier Tribunal Property Chamber relating to a troubled new-build property.

FA Co Ltd v (1) A (a bankrupt) & (2) B (2016)

Representing and advising a trustee in bankruptcy in a collective enfranchisement matter where beneficial ownership of the freehold was disputed.

(1) Z & (2) RC LLP v M & Anor (County Court, March 2016)

Successfully obtained possession on behalf of the freehold owner against persons occupying the property under a sub-licence pursuant to Part VII of the Housing Act 1996 (homelessness duties).

Moore v Lord George Ivor Louis Mountbatten Marquess of Milford Haven [2015] EWHC 2325 (QB)

Acted on behalf of the Appellant in a successful appeal against a decision to refuse relief from sanction.

Recommendations

"I have worked with Richard of many matters, ranging from Employment disputes and Litigation matters. Richard is a fantastic Barrister. He also shows 100% commitment to achieving the best result possible. I have no hesitation in recommending Richard and look forward to working with him the future."

"We were [impressed] by Richard's conduct of this case. Richard was extremely thorough in his preparation and provided helpful amendments to witness statements. His attention to detail was very good, in relation to the technical legal issues and the factual matters. His manner and client care was also excellent. He spent time with the client on the morning of the hearing going through the witness statements and documents, and effectively liaised with the other side. We would be more than happy to instruct him on future matters."

"I was impressed with the assistance [Richard] gave – [his] detailed note was especially very helpful and far beyond many barristers would have gone."

Awards

- Major Exhibitioner, Inner Temple

Publications

- Contributor to *Tanfield Chambers Service Charges and Management* (3rd Edition) (2018)
- Landlord and Tenant Review – Case commentaries
- Case commentaries on various forums including Lexis PSL

Qualifications

- BVC, BPP Law School
- GDL, City Law School
- MA (Cantab)
- BA (Hons) History, University of Cambridge

Memberships

- Property Bar Association
- Employment Lawyers Association
- Bar Pro Bono Unit

Languages

- English
- French