

# TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



## Tom Carpenter-Leitch

Year of call  
2002

Tom Carpenter-Leitch practices within most areas of property law, with a particular emphasis on real property and landlord & tenant negotiations. This includes TOLATA claims, adverse possession, easements, covenants and conveyancing issues and, in the landlord & tenant sphere, lease renewals and service charge disputes.

A particular area of interest is the point of intersection of property law with insolvency or company law. Examples include: all aspects of bona vacantia, disclaimer and vesting orders; fractional property ownership collective investment schemes; the workings of residents' management companies and tenant owned freehold companies following enfranchisement – with or without a shareholder participation agreement.

Tom has built-up a niche area of expertise within insolvency law, relating to both corporate and personal matters. He has a wide knowledge in the field and regularly acts in relation to administrations, liquidations, bankruptcies, directors disqualification proceedings, administrative or other receiverships, individual or company voluntary arrangements, and partnership insolvencies. He is equally comfortable advising insolvency office-holders and creditors as he is with directors and debtors. Linked to this, Tom advises on charges and their priorities and company law.

In addition to these core specialisms, Tom also has a varied business, commercial and modern chancery practice (including trusts and probate).

Tom had a previous career as a chartered accountant. Having worked for two of the top five international accountancy firms and qualified as an insolvency practitioner, he brings over ten years of prior experience to his practice at the Bar. He also advises in professional negligence cases involving accountants and solicitors.

Tom has lectured on insolvency and data protection law. He is a contributor to all editions of the book

Service Charges & Management (Sweet & Maxwell – 2009 onwards)

## Notable Cases

*Willow Court Management Co v Alexander*, Upper Tribunal (Lands Chamber) [2016] UKUT 290 (LC)

Guidance on awards of costs for unreasonable conduct in the First Tier Tribunal.

*Chong v Alexander* [2016] EWHC 735 (Ch)

Trust law issues arising between participants following enfranchisement of a block of flats and company law issues concerning the subsequent conduct and control of the company owning the freehold where ownership is in unequal proportions.

*Baker v West Reading Social Club* [2014] EWHC 3033 (Ch); [2014] B.C.C 575

The inherent jurisdiction of the court to wind-up unincorporated club, and the extent of the appointed liquidator's powers.

*Transview Properties Ltd v City Site Properties Ltd* [2009] EWCA Civ 1255

Adducing fresh evidence on an appeal re rectification of a sale contract.

*Robert Green v Westleigh Properties Limited* [2008] EWHC 1474 (QB)

Effect of defects on a tenants' notice to purchase landlord's reversion under s.12 Landlord & Tenant Act 1987.

*Microleve Ace Ltd v Joynt & ORS* [2005] EWHC 1685 (Ch)

Beneficial ownership of assets of a business. Security interests.

## Awards

- Buchanan Prize, Lincoln's Inn (2001)
- Taylor Prize, Nottingham Law School (2001)

## Publications

- How unreasonable? Solicitors Journal 2016, 160 (27), 17
- Contributor, Service Charges & Management: Law & Practice, 2nd Edition, Sweet & Maxwell
- Contributor, Service Charges & Management: Law & Practice, 1st Edition, Sweet & Maxwell

## Qualifications

- MA (Cantab), St John's College

## Memberships

- Institute of Chartered Accountants in England & Wales
- Property Bar Association