

Stephanie Tozer

Called 1996



MCI Arb

CEDR accredited mediator

Judge of First Tier Tribunal (Property Division)

I specialise in property disputes - and I tackle them from all angles: my primary profession is as an advocate and adviser, but I also help parties to resolve disputes through ADR, and sit as a part time tribunal judge.

Qualifications

- 1995 MA (Oxon): first class degree in Jurisprudence (Law).
- 1996 Bar School, placing 3rd in the year; called to the Bar.
- 1997 Commenced practice at 9 Old Square, Lincoln's Inn (subsequently merged with Maitland Chambers)
- 2007 CEDR accredited mediator.
- 2008 Moved to Falcon Chambers
- Appointed Deputy Adjudicator to the Office of the Adjudicator to HM Land Registry (part time). JSB Tribunal Judge training undertaken.
- 2013 Judge of the First Tier Tribunal (Property Chamber) (Land Registration) (part time)

I speak good (but not fluent) French and hold a Diplome de francais des affaires 2eme degre (DFA2) avec mention tres bien (distinction) (2008).

Dispute resolution experience

I have determined or mediated a variety of property disputes, and a few others. The issues have included the following:

- Whether an oral compromise had been made and was effective. This is the only occasion I have been appealed. The appeal was dismissed: [2013] Ch 363;
- The acquisition of easements by prescription and/or the rule in Wheeldon v Burrows;
- Adverse possession claims;
- Whether making an application for a property adjustment order entitles an applicant to a unilateral notice;
- Boundary dispute;
- Several cases raising landlord and tenant issues including: sums due under the lease (arrears and damages for disrepair,

damage to property/ landlord's fixtures and chattels), forfeiture, surrender and unauthorised alterations.

As well as making final determinations, I also determine many interim applications and applications for costs on paper, and I have experience of acting as legal assessor to the arbitrator.

In addition, I have advised and represented parties in property arbitrations and claims arising from such arbitrations, most recently in *Patley Wood Farm LLP v Brake* [2013] EWHC 4035 (where the Court had to determine the appropriate test for enforcing a peremptory order).
