Cecily Crampin

Called 2008



Cecily practises all aspects of property law, including both residential and commercial landlord and tenant law and real property. She has acted as an expert determining legal issues in an agricultural law matter, and successfully resisted a claim to set aside an expert's determination of a commercial rent review in **Mirza v Elmdon Real Estates LLP** (Unreported, 28 June 2019, Newcastle County Court, HHJ Kramer).

Cecily has expertise in the Building Safety Act 2022. She has advised on the duty to undertake the type of remediation works caught by Part 5 of the Act, on the application of the service charge limits in Schedule 8, the application of the associated provisions for recovery between landlords, and on the leaseholder and landlord certificate process including in cases with chains of leases, and in relation to Islamic finance mortgages. She was and is junior counsel for the Respondents, led by Jonathan Selby KC of Keating Chambers, in **Triathlon & Anr v SVDP & Othrs [2025] EWCA Civ 846**, fully fought applications for remediation contribution orders under the Building Safety Act 2022, heard first in the FTT by the Upper Tribunal (Lands Chamber) President and Deputy President and then on appeal to the Court of Appeal.

Cecily has a particular interest in mortgage law, in particular the more difficult mortgage possessions. With her colleague, Stephanie Tozer KC, she authored a new book, *Mortgage Receivership: Law and Practice* (Wildy, Simmonds and Hill Publishing, October 2018). The second edition, with Stephanie Tozer KC and Tricia Hemans, was published by Wildys in May 2024, and considers the application of new legislation such as the Building Safety Act 2022 to receivers, and the effect of sanctioning of the borrower.

Cecily also has extensive experience in Landlord and Tenant Act 1954 lease renewals including opposition, complicated forfeiture claims, in property cases with issues as to trust or company ownership, and in Party Wall etc Act 1996 work.

Cecily's practice covers a wide range of property disputes. Current and recent work includes:

Building Safety Act 2022

- Remediation orders and remediation contribution orders from case management hearing to trial. She was junior counsel for the Respondents, led by Jonathan Selby KC of Keating Chambers, in **Triathlon & Anr v SVDP & Othrs [2025] EWCA Civ 846**
- Landlord and leaseholder certificates including in unusual lease structures
- The source of duties to do remediation work
- Limits of service charges under Schedule 8 and the rights of recovery of service charges between landlords

Mortgage work

- Complicated mortgage claims including those raising regulatory issues under the Financial Services and Markets Act 2000 and unfair relationships under the Consumer Credit Act 1974
- Mortgage subrogation
- Consolidation and tacking
- Mortgage receivers' possession claims, and cases on breaches of receivers' duties
- Cases on how to structure mortgage documentation

Real property

- Restrictive covenants including applications for discharge or modification under s84 of the Law of Property Act 1925
- Overage and other development issues
- Easements and boundaries
- Party Wall etc Act 1996 including issues on s10 jurisdiction, and limitation
- Land registration, including rights post completion and pre registration
- Rent charges and variation of estate management schemes
- Vendor purchaser summons and effect of Russian sanctions regime on buying property

Trusts of land

- TOLATA claims in difficult family circumstances
- Trusts in the context of bankruptcy

Commercial leasehold

- Unlawful forfeiture and relief from forfeiture in valuable commercial property
- Opposed and unopposed lease renewals under the Landlord and Tenant Act 1954
- Rent review
- Effect of Russian sanctions regime on leasehold obligations and rights

Residential leasehold

- Right to manage including the extent of the right once acquired as against landlord’s retained rights
- Licence for alterations in high value residential property
- Enfranchisement with issues about split freehold ownership
- Service charges in high value residential property

Education

MA (Oxon) MSc DPhil

Before coming to the Bar, Cecily successfully completed a doctorate in mathematical logic (her thesis title is Reducts of Differentially Closed Fields to Fields with a Relation for Exponentiation) at the University of Oxford. From this education come her analytical skills, perseverance, and sense of humour. Her CPE (distinction) and BVC (very competent) are both from City University.

Professional

Cecily’s current and recent work includes: Building Safety Act 2022 advisory work and litigation, and a number of complicated mortgage claims including those raising mortgage regulation issues under the Financial Services and Markets

Act 2000; cases on the interaction of lender's powers and the borrower's attempts to sell; a case with issues as to breach of a receivers' duties; and a case dealing with the residue of the proceeds of sale of mortgaged property when there are competing claims. She has also worked with Gregory Jones KC, on a heavily contested opposed lease renewal under the 1954 Act, and, led by Stephen Jourdan KC, cases about the effect of sanctioning of an individual on property transactions.

Other recent work includes: a claim relating to costs of removing overspill under the Party Wall Act 1996; a s84 Law of Property Act 1925 application, led by Guy Fetherstonhaugh KC; a complicated commercial forfeiture and relief from forfeiture claim, led by Caroline Shea KC, for which Cecily drafted the pleading; defending a high profile forfeiture claim led by Gary Cowen KC in which Cecily gave early advice unled; a complicated licence for alterations case about a high value property; advising on the structure of lending and mortgages in a scheme where interest is not to be charged; led by Stephen Jourdan KC, a party wall appeal, **K Group Holdings Inc & Anr v Saidco International SA and Ors** which raised limitation issues; and **Poundland Limited v Toplain Limited**, a County Court unopposed 1954 Act lease renewal in which the court decided that no Covid-19 clause should be included in the new lease.

Cecily is a member of the Property Bar Association (and from November 2025 its treasurer), and of the ChBA. She is the first barrister member of NARA (the National Association of Receivers and Administrators). She often speaks at conferences and seminars, including for the Pyramus and Thisbe Club and the Faculty of Party Wall Surveyors. She has also co-written an article on s126 of the Consumer Credit Act 1974 and its application to regulated mortgage contracts with Prof Lisa Whitehouse of Southampton University on mortgage law and time orders. She is a reviewer for Advocate.

Publications

- With Camilla Chorfi, "The Building Safety Act: issues for lenders", Butterworths Journal of International Finance and Banking Law, January 2025.
- With Caroline Shea KC, "A suitable sanction?" on Al Properties v Tudor Studios RTM and whether it assists with the sanction for non-compliance with s124 of the Consumer Credit Act 1974, New Law Journal, November 2024.
- With Daniel Black, "Will lenders have confidence to lend against commonhold" Butterworths Journal of International Finance and Banking Law, June 2024.
- Contributor with Edward Blakeney to Party Walls volume 2 (Ed Benjamin Mackie, 2024): "When concrete overspill spills over into litigation".
- Mortgage Receivership: Law and Practice, Edition 2, Stephanie Tozer KC, Cecily Crampin, and Tricia Hemans (Wildy, Simmonds and Hill Publishing, May 2024)
- Charging Orders on Land: Law, Practice and Precedents, 2nd edition (Wildy, Simmonds and Hill Publishing, January 2024): editor with Michael Ranson
- With Prof Lisa Whitehouse of Southampton University, "Missing in action? Mortgage enforcement under section 126 of the Consumer Credit Act 1974" Legal Studies Journal, 2023, 43(3), 543-561.
- Mortgage Receivership: Law and Practice, Stephanie Tozer and Cecily Crampin (Wildy, Simmonds and Hill Publishing, October 2018).
- Contributor to the Property Finance section of Asset & Project Finance, Thomson Reuters/Sweet & Maxwell.
- Contributor with Edward Blakeney to Party Walls: Articles concerning the Law and Practice of the Party Wall etc Act 1996, volume 2 (Ed Benjamin Mackie, 2024): "When concrete overspill spills over into litigation".
- Contributor to Party Walls: Articles concerning the Law and Practice of the Party Wall etc Act 1996 (Ed Benjamin Mackie, 2022): "Limitation and the Party Wall etc Act 1996".
- Contributor to the 15th edition of Fisher and Lightwood's Law of Mortgage, Falcon Chambers (LexisNexisButterworths, 2019).
- Contributor to the first edition of The Law and Practice of Party Walls, Nick Isaac (Property Publishing 2014)
- Contributor to Tanfield Chambers' Service Charges & Management: Law & Practice 3rd edition (Sweet & Maxwell 2013)