

# 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 a particular interest in mortgage law, in particular the more difficult mortgage possessions. With her colleague, Stephanie Tozer QC, she authored a new book, *Mortgage Receivership: Law and Practice* (Wildy, Simmonds and Hill Publishing, October 2018). 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:

## **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 receiver's 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 scheme

## **Trusts of Land**

- TOLATA claims in difficult family circumstances

## **Commercial leasehold**

- Unlawful forfeiture and relief from forfeiture in significant commercial property

- Opposed lease renewal under the Landlord and Tenant Act 1954
- Unopposed lease renewals with dispute as to Covid-19 clauses
- Rent review

### **Residential leasehold**

- Licence for alterations in high value residential property
- Enfranchisement with issues about split freehold ownership
- Service charges in high value residential property