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**TAKING POSSESSION:
WHERE IS THE ROOM FOR MANOEUVRE FOR A
LANDLORD WANTING TO TAKE POSSESSION?**

The 4 significant Court of Appeal decisions

- ***Akici v L.R Butlin Ltd [2005] EWCA Civ 1296***
- ***Magnic Ltd v Ul-Hassan [2015] EWCA Civ 224***
- ***Safin (Fursecroft) Ltd v Badrig's Estate [2015] EWCA Civ 739***
- ***Freifeld v West Kensington Court Ltd [2015] EWCA Civ 806***

... and the others

- Keshawala v Balsod (April, 2021) – time for making of application for relief
- Golding v Martin (March, 2019) – operation of s.138(2) CCA1984
- Motley v Shadwell Park Limited (November 2017) – relief from sanction

Arden LJ in Freifeld

- Therefore, the judge was clearly right to make findings about the wilfulness of the breach and to take his findings into account in deciding whether to grant relief from forfeiture. The judge was amply justified in his conclusion. When the lessees have concealed important breaches from the lessor and acted in continuous disregard of their obligations, it would not, without some security that the future would be different, be fair to grant relief and restore the parties to their previous contractual relationship.

Title

- Text

Q&A

We will now answer as many questions as possible.

Please feel free to continue sending any questions you may have via the Q&A section which can be found along the top or bottom of your screen.

Thank you for listening

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