

Joelson

PROPERTY

Introduction:

At Joelson, our experienced property department advises individuals and businesses on a full range of legal issues.

Our service is tailored to every client's specific needs and draws on our expertise in a variety of disciplines.

All of our lawyers are experts in their field and can draw on many years' worth of experience to identify any potential problems at the earliest opportunity and devise effective solutions so that the transaction can be completed without delay.

The firm take prides in a fast, efficient and friendly approach and we believe it is very important to forge a close relationship with clients, enabling us to develop a detailed understanding of your requirements and provide the best possible service.

This brochure will provide an overview of those areas where we are able to assist.

Commercial property

Development

We regularly act for developers, landowners and investors in relation to the acquisition, financing and disposal of commercial, mixed use and residential developments at locations around England and Wales.

Our lawyers can advise on schemes of various sizes, from small developments to large scale regeneration projects, and we act for a diverse range of developers, from those developing super prime apartments in London to private-rented sector schemes up and down the country.

Our work in this area includes advising on site assembly, options, conditional contracts, collaboration agreements, joint ventures, overage, pre-lets, forward-funding, planning obligations, environmental legislation, compulsory purchase and so on.

Irrespective of the matter we are dealing with, we understand the importance of identifying risks, robust negotiating and completing transactions to tight deadlines.

Investment and asset management

We advise institutional investors, funds and entrepreneurial property companies on the acquisition and disposal of investment property across the retail, leisure, industrial and office sectors, including retail parks, hotels and shopping centres.

We are able to assist with structuring, joint ventures, funding and leasing and management.

Investment transactions are a core element of our property practice and we treat each transaction with equal care and attention, whether it is the acquisition of a small parade of shops for an entrepreneurial high net worth individual or a portfolio acquisition for an institutional investor.

The breadth of our client base and our reputation for handling particularly complicated matters has meant that we have been instructed in a wide range of prestigious deals.

Corporate occupier

We offer a first class corporate occupier service. We have expertise across a range of sectors and understand the individual requirements that each client has, which are fundamental to their business. We have particular expertise in retail and leisure and serviced offices and work closely with our corporate, regulatory, construction and dispute resolution teams to provide a seamless service.

Our clients range from blue chip companies with large portfolios to start-ups and SMEs.

We are able to help with the acquisition and disposal of freehold and leasehold premises, including sales and leasebacks; all landlord and tenant related work, such as agreements for lease, leases and licences; development and pre-lets, including construction aspects; and, property disputes.

We take pride in a meticulous approach, advising on the documents required, completing all the necessary checks and keeping you fully informed throughout the transaction.

Property finance

We have a dedicated property finance team that service a number of banks and financial institutions. We see ourselves as an integral part of our clients' team and seek to understand in depth their approach and procedures in order to provide a dedicated, efficient service.

We understand the competitive environment that our clients operate in and adopt a collaborative approach with other parties involved in the transaction. If issues are identified, we will look for often innovative solutions in order that the transaction may proceed but at the same time ensuring our client's position is always protected.

Our lawyers advise on all forms of finance, restructuring, renegotiating and refinance work and work closely with our colleagues in the corporate and banking team.

Residential property

At Joelson, our team of experienced lawyers provides advice on all aspects of residential property transactions. We offer a comprehensive conveyancing service, advising clients through every step of buying or selling a property.

As a firm we fully recognise that going through a move can be intensely stressful, which is why we take pride in offering a personal service and keeping you informed throughout the transaction. As well as advising on the process for buying and selling, we can also offer guidance on management matters for both landlords and tenants of residential property and can deal with the complexities of Tribunal hearings if needed.

Freehold and leasehold purchases

Provided certain criteria have been met, you may make an application to purchase the freehold of your property. This would mean that you owned the property outright and would be able to exercise far greater control over what you do with the premises.

People often consider the option of purchasing a freehold because it means that they will no longer be bound by restrictions which can be included in the lease of a leasehold property. In addition, once a purchase has been agreed you will no longer be required to pay ground rent.

Our lawyers can advise on the process for purchasing a freehold, explaining the various stages of the process and the factors that are taken into consideration.

Lease Extensions and Collective Enfranchisement

Under the Leasehold Reform, Housing and Urban Development Act 1993, qualifying leaseholders of flats have rights to extend the term of their leases by 90 years on top of the unexpired term of the lease. The Act also grants rights to leaseholders to collectively purchase the freehold of the building together with other leaseholders in the building.

We have a specialist team of solicitors who regularly act for landlords and tenants dealing with statutory lease extensions and collective enfranchisement under the Act from the service of notices commencing or responding to a claim for a new lease or to purchase the freehold through to completion of the new lease or transfer of the freehold.

This is a highly technical area and we are able to advise in relation to the process from the commencement of a lease extension or collective enfranchisement claim until completion. We also have extensive experience of dealing with contested claims in the First-Tier Tribunal (Property Chamber) and County Courts.

We also regularly deal with voluntary lease extensions where a landlord and tenant agree terms to extend the lease outside of the statutory regime.

We can assist with the full spectrum of property disputes including: renewal of business tenancies under the Landlord and Tenant Act 1954; interim and terminal dilapidations; rent reviews; forfeiture of leases; enforcement of lease covenants; service of break notices; removal of squatters from commercial premises; trespass; boundary disputes and rights of way; possession claims; lease extensions and enfranchisement and rent and service charge recovery.

We have extensive experience of dealing with claims in the High Courts, County Courts, the First-Tier Tribunal (Property Chamber) and the Upper Tribunal (Lands Chamber) and in resolving disputes using mediation and other Alternative Dispute Resolution methods.

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Off plan advice

Purchasing a property before it has been built, or buying off-plan as it is often known, can be a lucrative option – particularly if the property increases in value during the construction process. That said, the arrangement does carry with it a number of risks and it is important to seek guidance on how transactions work in practice and the potential risks involved.

We can also advise clients who want to sell-on an off-plan property before it has been completed. The process of assignment will see the transfer of the contract from yourself to a third party buyer. This is a complicated and often challenging process, particularly following the introduction of more stringent requirements in the aftermath of the financial crisis, but we are able to advise on all the options available.

Property litigation

At Joelson, we have a specialist property litigation team who regularly advise in relation to a wide range of disputes concerning both residential and commercial properties.

The property litigation and property teams work closely to provide strategic advice to deal with disputes in a cost effective manner. In particular, the property litigation team are on hand to offer clear advice to help avoid disputes arising or from escalating and where a dispute is unavoidable they are able to set out the options available to achieve a commercial outcome.

We regularly advise landlords, owners, occupiers, tenants, property managers and developers in relation to a wide range of properties including retail, offices, industrial, leisure, restaurants, pubs and residential.

Construction

At Joelson, we have a dedicated unit to advise on a wide variety of legal issues relating to the construction industry.

As a firm we appreciate that the industry depends on projects being delivered on time and on budget, and it is important to deal with a solicitors who have an excellent understanding of the issues which can arise.

Our team can handle both commercial and residential matters and has extensive experience advising substantial developers, property investors, development funders, contractors and professional consultants.

For further details about our services please see our separate construction brochure.

Contact us

If you require further advice on our services please do not hesitate to contact us today.



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