

Derek Kerr

Derek has a wealth of experience in all aspects of property law. He represents individuals, corporate landlords and tenants, developers, LPA receivers, surveyors, housing associations and financial institutions.

His work includes claims about adverse possession of land, boundaries and party walls, the co-ownership of land (including land outside England and Wales), the construction and forfeiture of leases, conveyancing practice, disrepair, easements, freehold restrictive covenants, guarantees, land registration and rectification claims, mortgages and securities, options, service charges and trusts of land. He has undertaken a number of land registration disputes where the transaction has been tainted by fraud.

Derek is regularly instructed in the First Tier Tribunal (Property Chamber), the Upper Tribunal, County Court and High Court, and in all aspects of ADR. He also accepts instructions under the Bar Council's Public Access Scheme.



Year of Call: 1994

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Related Cases of Interest

Cases of interest include *Kuppusamy v Mathankanna* [2013] EWHC 1197 (Ch) a respondent appeal against an adjudicator's finding that the applicant's signature on a transfer deed was a forgery.

Nadeem v Rafiq & anr [2007] EWHC 2959 (Ch) a dispute about whether a partnership existed and whether real property was an asset of the partnership.

Further information

Qualifications

- University of Reading, LLB (Hons)

Memberships

- Chancery Bar Association
- Property Bar Association

Interests

Music, dancing, walking, cinema, reading

Property

Derek's practice encompasses all aspects of property and related litigation, including commercial and residential landlord and tenant matters, real property disputes, civil fraud, trusts (including co-ownership disputes), contractual claims, claims on guarantees, mortgages, unjust enrichment and restitutionary remedies. He also acts in claims relating to real property outside England and Wales.

He frequently appears in the High Court and was recently instructed in a matter before the Supreme Court of Gibraltar.

Related cases of interest

- *Nadeem v Rafiq* [2007] EWHC 2959 (Ch) — Whether a partnership exists and whether real property an asset of the partnership.

