

# Elizabeth Dwomoh



Elizabeth is a specialist property and commercial barrister. She is commended by professional and lay clients alike for the forensic nature of her advocacy and her clear and practical advisory work.

Keen to share her legal knowledge, Elizabeth is a regular contributor to the 'Legal Notes' and 'Practice Points' sections of Estates Gazette, contributor to the 'Service Charges' section of RICS Isurv and the author of 'A Practical Guide to the Ending of Assured Shorthold Tenancies'.

Elizabeth accepts appropriate work under the Bar Public Access Scheme.



**Year of Call: 2005**

[Email Elizabeth Dwomoh](#)

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## Publications

- *A Practical Guide to the Ending of Assured Shorthold Tenancies*, published by Law Brief Publishing in July 2018
- *Importance of parties obtaining notice of reallocation to track (Francois v Barclays Bank Plc)* – Lexis PSL (04.04.2018)
- *What do home businesses mean for landlords?* – Solicitors Journal S.J. (2015) Vol.156 No.40 Supp Property Focus page 15, co-authored with Richard Hayes
- *Protected Status* – Estates Gazette E.G. (2015) No.1507 pages 82 – 83
- RICS Isurv – co-contributor for the section on “service charges”
- Law Brief Update – co-contributor for the section on “property”

## Further information

### Seminars and Training

Elizabeth delivers regular workshops, seminars and podcasts in her areas of specialism to solicitors and legal charities. She has recently provided training on the termination of business tenancies under the Landlord and Tenant Act 1954, residential possession claims and dilapidations.

### Qualifications

- LLB (Hons), University of Dublin, Trinity College
- Diplôme de Droit Français, Université Panthéon-Assas Paris I



- BVC, Inns of Court School of Law, City University
- Queen Mother Scholarship, Middle Temple
- Blackstone Entrance Exhibition, Middle Temple

## Languages

- French and Twi

## Memberships

- Commercial Bar Association
- Chancery Bar Association

## Outside interests

When time permits, Elizabeth enjoys travel, reading and medieval castle restoration.

## Property

### Housing and residential landlord and tenant

Elizabeth has a specialist residential landlord and tenant practice. She is also widely sought after for her expertise in Housing.

She is frequently instructed to appear in the High Court, County Court and First-tier Tribunal on behalf of private landlords, social landlords and tenants. Her expertise encompasses the following areas:

- Boundary disputes
- Service charge disputes
- Leasehold enfranchisement and lease renewals
- Disrepair
- Breach of covenant
- Unlawful evictions and possession claims (including s.8 Housing Act 1988, s.21 Housing Act 1988, s.83 Housing Act 1985, Notice to Quit and trespass)
- Trespasser claims
- Tenancy deposits under the Housing Act 2004
- Injunctions under the Anti-social Behaviour, Crime and Policing Act 2014
- Homelessness appeals
- Licensing of HMOs
- Rent repayment orders under the Housing and Planning Act 2016

Recent work:

- Successfully resisting an appeal brought by a landlord against his tenants following a finding that there had been multiple breaches of the tenancy deposit scheme.
- Obtaining an award of over £20,000 for tenants against their landlord following a successful application for a rent repayment order
- Advising a client in a complicated enfranchisement



claim of block

- Acting on behalf of a tenant who was awarded damages of over £20,000 in respect of his claim for unlawful eviction against his landlord
- Acting for a tenant in successfully discharging an anti-social behaviour injunction and resisting a claim for an outright possession order after a 10 day trial.
- Acting for a local authority in judicial review proceedings following its refusal to accommodate an individual pending a s.202 review into whether she has priority need under the Housing Act 1996 as amended.

## **Commercial landlord and tenant**

Elizabeth practice encompasses all areas of Commercial Landlord and Tenant disputes. She regularly advises in relation to disputes arising under the Landlord and Tenant Act 1954 as well as non-statutory protected commercial tenancies. Her expertise includes:

- Business tenancy renewals under the Landlord and Tenant Act 1954
- Terminal dilapidations
- Breach of covenant
- Trespass
- Break notices
- Forfeiture claims
- Licences

Recent work:

- Advising commercial landlords in a claim for possession against a licensee who claimed they had a protected tenancy under the Landlord and Tenant Act 1954
- Representing one of the largest providers of commercial small and medium size office space in obtaining urgent injunctions against trespassers
- Representing a small business in pursuing a wrongful forfeiture claim
- Advising and negotiating a favourable settlement for a commercial landlord in a complicated Landlord and Tenant Act 1954 tenancy renewal case where the tenant had persistently delayed in paying rent and failed to carry out repairs
- Acting on behalf of a landlord in a case involving extensive terminal dilapidation
- Acting for a nationwide commercial landlords in complex forfeiture proceedings
- Acting for a commercial landlord who sought to regain possession of the residential part of a mixed use premises in circumstances where the tenant alleged his tenancy at will had been converted into a



statutorily protected periodic tenancy.

## **Real property**

Elizabeth has experience in the advising and representing clients in the High Court and Court of Appeal in all aspects of Real Property. In particular her expertise includes:

- Easements and rights of way
- Boundaries, restrictive covenants and easements
- Land registration and title disputes
- Trusts of land (including claims under the Trusts of Land and Appointment of Trustees Act 1996)
- Mortgages
- Charging orders and orders for sale

Recent work:

- Successfully representing clients in a longstanding boundary dispute
- Successfully representing the beneficiaries in a claim brought under Trusts of Land and Appointment of Trustees Act 1996 for a share in the proceeds of sale of a property worth over £1 million pounds
- Acting for mortgagor in successfully resisting a claim for possession by the mortgagee in circumstances where the mortgage arrears could be cleared within a reasonable period
- Advising and drafting a claim on behalf of the creditor in an application for an order for sale of a multi-million pound property under the Trusts of Land and Appointment of Trustees Act 1996
- Advising a client in her claim for a beneficial interest under a constructive trust in property owned by her child
- Advising a freeholder in relation to a right of way over neighbouring land

## **Seminars**

- Elizabeth Dwomoh and Jasmine Mahboobani, a solicitor from Royds Withy King discuss lease renewals:

[Talking Lease Renewals: Section 26 requests, and Grounds of Opposition under the Landlord and Tenant Act 1954 | Listen via Hubhopper](#)

- Elizabeth Dwomoh was one of the chosen specialists to talk about the impact that the coronavirus pandemic has had on the private rental sector:



## Commercial

### Commercial litigation

Elizabeth is an experienced commercial litigator with particular experience in breach of contract, directors' duties and data protection.

Elizabeth's practice encompasses the following areas:

- Shareholder disputes
- Guarantees
- Directors' duties
- Personal insolvency
- Breach of contract
- Sale and supply of goods and services
- Data protection

Recent work:

- Acting for a defendant building contractor and build client in a claim and counterclaim for breach of contract brought by a claimant sub-contractor
- Acting for a building contractor in a successful claim to recover the build cost of a conservatory in the TCC and defend a substantial counterclaim for breach of contract
- Acting for a building contractor in striking out a claim for breach of contract brought by a client
- Advising an appropriate body of its obligations under the General Data Protection Regulation
- Representing co-directors in a summary judgment application brought by a bank founded on personal guarantees entered into by the directors to obtain a loan facility for their company

## Contentious Trusts and Probate

