

Ben Maltz

Called: 1998
benmaltz@fivepaper.com

"He is an incredibly safe pair of hands and provides clear and fast advice" The Legal 500 UK 2015



Profile

Ben is a property law specialist with a thriving practice. He has a wealth of experience in all aspects of landlord and tenant-related litigation and real estate litigation, with a particular interest in service charge disputes, leasehold enfranchisement, business lease renewals and party wall disputes.

Ben is an accomplished advocate and has been ranked by the leading legal directories

Description of Practice

Ben Maltz deals calmly and effectively with often complex property disputes. He values the importance of client care and always strives to adopt a pragmatic and common sense approach to his cases.

Directories Quotes



"Recommended for service charge disputes."
The Legal 500 UK 2017

"His cross-examination is quietly effective."
The Legal 500 UK 2015

Important Cases

Partridge v Gupta [2017] EWHC 1110 (QB)

Successfully represented private landlord client in resisting appeal by the former tenant,

who sought to set aside a writ of possession post-execution. The appeal focused on the correct interpretation of CPR 83.13(8) and considered what constitutes sufficient “notice of the proceedings” within the meaning of this rule.

Southern Land Securities Ltd v Poole [2017] UKUT 302 (LC)

Represented landlord on appeal against decision of FTT restricting recovery of major works service charges to £250. Successfully argued that FTT had breached natural justice by taking point concerning section 20 compliance and then refusing the landlord permission to adduce documentary evidence addressing the Tribunal’s criticism.

Brown & Reid v London and Quadrant Housing Trust [2017] LON/00AZ/OCE/2016/0330

Application under LRHUDA 1993 for determination of terms of acquisition on a claim for collection enfranchisement where the parties had agreed a reduced premium in return for the inclusion of an overage clause.

Berndl & Others v Notting Hill Home Ownership [2017] LON/00AU/LSC/2016/0254

Successfully resisted FTT application by leaseholders disputing recoverability of service charges. Leaseholders argued that they should not be charged for gas and electricity consumption costs which far exceeded anticipated levels by reason of thermally heated hot water system and photo-voltaic solar panels

Christopher Moran Holdings Ltd v Laura Carrara-Cagni [2016] UKUT 0152 (LC)

Represented residents’ association of an apartment block on The Kings Road, Chelsea, in appeal to Upper Tribunal in connection with determination of major works service charge liability.

Red Kite Community Housing Ltd v Robertson [2014] UKUT 0134 (LC)

Successfully appealed against the LVT’s decision that social landlord’s estate management charges were unreasonably high

Southern Land Securities Ltd v Hodge & Another [2013] UKUT 0480 (LC)

Represented landlord on appeal from LVT’s determination as to reasonableness of service charges incurred in relation to major works.

Catalyst Community Housing Ltd v Katana [2010] E.G.L.R. 21 (CA)

Successfully resisted appeal by unlawful sub-tenants of development land who claimed to be protected business tenants under Landlord & Tenant Act 1954 rather than mere tenants at will, and also issues as to service of notices and alleged proprietary estoppel.

Seminars and Training

Ben writes occasional articles for the Estates Gazette and the Property Litigation Association website.

Ben regularly speaks at seminars for solicitors and surveyors both in-house and externally, and he regularly presents advanced training courses for LEASE.

Professional Memberships

Ben is a member of the Property Bar Association