

Tina Conlan

Called: 2002
tinaconlan@fivepaper.com

"Tina's strengths are her patience and ability to quickly get to the core of a matter."

The Legal 500 UK 2023

"Tina Conlan has always provided our firm with an excellent service of the very highest standard."

Chambers and Partners 2023

Legal 500 2023, Chambers and Partners 2023



PROFILE

Tina has extensive experience in all areas of property law.

She is recognised in Chambers & Partners and Legal500 for her work in housing law. Tina is able to assist with any aspect of housing law: from complex policy advice to anti-social behaviour, disrepair to possession.

Tina is leader of the Five Paper Public Law sub-team. She has deep knowledge of homelessness and allocations law, appearing at all levels. She is adept at recognising and dealing with equality issues. Tina has experience in judicial review and in public law issues in private law cases.

Tina has appeared in number of important Court of Appeal decisions: *Kannan v Newham LCB*, *Harris v Hounslow LBC* and *Webb v Wandsworth LBC*.

Even where the legal issues are complex, she offers practical, commercial advice. Her written work is exceptional.

Tina has strong client relationships. She prepares meticulously, whether a simple matter or complex appeal.

EXPERTISE

Public Law

Tina is leader of the Five Paper Public Law sub-team.

Tina is sought after for homelessness appeals and housing judicial reviews. She has long-standing relationships with many local authorities.

Tina is regularly instructed on homelessness matters in the County and Administrative Courts. She is able to assist with homelessness appeals and judicial review proceedings (including urgent applications for interim relief).

She also has good knowledge of housing allocations law. Tina is often brought into potential litigation at an early stage: to advise on the merits of allocations challenges or to assist in the drafting of responses to pre-action protocol letters of claim. For those cases which are not dispatched pre-action, Tina has experience in the Administrative Court and is able to guide clients as needed. She is available to draft grounds of resistance and to represent at preliminary and substantive hearings.

Tina regularly advises on policy matters; most recently she has assisted authorities on the effect of the Covid-19 pandemic on accommodation duties (the “everyone in” initiative).

Tina's notable public law cases include:

R (Kuznetsov) v Camden LBC [2019] EWHC 3910 (Admin)

Tina represented the authority and successfully defended a costs order made against Camden in relation to an allocations judicial review. Mostyn J held that the authority were entitled to their in-house solicitor's costs at hourly rate of an independent solicitor in private practice (£317ph), notwithstanding that a FOI request revealed that the actual maximum hourly pay of a lawyer working for the authority was a fraction of such sum (£41ph).

The court also considered the principles to be applied when considering an application to set aside or vary or stay an order made pursuant to rule 3.3(4). The judgment may be found [here](#).

Kannan v Newham LBC [2019] EWCA Civ 57

Tina represented the London Borough of Newham in the Court of Appeal (and also in the County Court) in relation to their decision that accommodation provided under the main homelessness duty was suitable. The Court of Appeal considered the extent to which the authority was required to consider the actual and likely future duration of such accommodation. The case has proved to be an important addition to the jurisprudence on the public sector equality duty in homelessness cases. The judgment can be found [here](#).

Harris v Hounslow LBC [2017] EWCA Civ 1476

Tina successfully represented the authority in this appeal on statutory review requirements and public law defences to claims brought on the absolute ground for possession. A digest of the case can be read [here](#). The full text of the judgment can be found [here](#).

Ahern v Southern Housing Group [2017] EWCA Civ 1934

Tina represented Mr Ahern in this lengthy county court litigation and as junior on appeal. The appeal addressed the nature of public law defences to possession claims. Click [here](#) for the judgment.

Social Housing

Tina has spent her (almost) 20-year career at the bar working in housing law. She has deep knowledge of all areas.

She is regularly instructed on claims for possession and is able to assist with drafting, providing advice and representing clients at court. Tina has broad experience in cases relating to anti-social behaviour, rent arrears, subletting or succession. She is available for more complicated litigation concerning the status of an occupant or where public law issues are raised.

Tina also is available to assist with anti-social behaviour litigation whether that be for an injunction, committal or closure order. She provides clear commercial advice on the best option for her clients and is able to put the most vulnerable client or witness at ease.

A significant part of Tina's work concerns breaches of repairing covenant. She can provide advice on the merits of a case, the likely quantum and, in appropriate case, settlement. She also has experience in enforcement litigation where earlier proceedings have been unsuccessful.

Tina has recently assisted local authorities obtain banning orders against landlords in the cases of: Welwyn Hatfield BC v Bucha & Captain Solutions Limited (CAM/26UL/HBA/2021/0002) (https://assets.publishing.service.gov.uk/media/61a77fbc8fa8f5037cc5e0c3/Faraz_Malik_Bucha_Banning_order_decision_reasons.pdf) and Redbridge LBC v Cikanavicius (LON/00BC/HBA/2020/0007 V:CVP) (https://assets.publishing.service.gov.uk/media/60b8cf3ce90e0743a8ed3589/Various_Properties_in_Redbridge_002_.pdf). This is a relatively new avenue for many authorities and, where necessary, Tina is available to assist in preparing the application.

Tina can also assist on all housing management issues, including advising on and drafting policies.

Tina's notable social housing law cases include:

R (Kuznetsov) v Camden LBC [2019] EWHC 3910 (Admin)

Tina represented the authority and successfully defended a costs order made against Camden in relation to an allocations judicial review. Mostyn J held that the authority were entitled to their in-house solicitor's costs at hourly rate of an independent solicitor in private practice (£317ph), notwithstanding that a FOI request revealed that the actual maximum hourly pay of a lawyer working for the authority was a fraction of such sum (£41ph).

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Ahern v Southern Housing Group [2017] EWCA Civ 1934

Tina represented Mr Ahern in this lengthy county court litigation and as junior on appeal. The appeal addressed the nature of public law defences to possession claims. Click [here](#) for the judgment.

Webb v Wandsworth LBC [2008] EWCA 1643

Successful appeal against a suspended order in a nuisance possession case. View the court decision [here](#).

Arabhalvaei v Rezaeipoor (Central London County Court) December 2007 Legal Action 30 and January 2008 Legal Action 36

Tina represented Mr Rezaeipoor, a protected tenant who was awarded some £188,000 in damages as against his landlord for disrepair and harassment.

Property litigation

Tina accepts instructions on a wide-range of issues concerning leasehold properties, including possession/forfeiture, dilapidations, breach and service charges. She is able to assist, whether the case be in the High/County Court or the First-tier Property Tribunal.

She has significant experience in breach of repairing covenant litigation. She can provide advice on the merits of a case, the likely quantum and, in appropriate case, settlement. She is increasingly involved in cases involving fire safety issues (in particular, external wall cladding systems).

She regularly is involved in private landlord and tenant matters.

FURTHER INFO

Directory Quotes



"Tina Conlan has always provided our firm with an excellent service of the very highest standard."
Chambers and Partners 2023

"I have worked with Ms Conlan over a number of years now and have always received excellent service in terms of instructions given, conduct of matters and results."
Chambers and Partners 2023

"She is a good advocate and is excellent with vulnerable clients." "She is client-friendly, very calm, and her skeleton arguments and other pleadings are second to none. She is very good on her feet."
Chambers & Partners 2021

"An excellent advocate who always prepares carefully and provides reassurance to nervous clients. She is reliable and rock solid."
Chambers & Partners 2020

"Exceptionally thorough and well prepared, she has a very clear and measured manner in dealing with the client." "She builds an excellent rapport with clients and is commended for her skeleton arguments."
Chambers & Partners 2019

"Tenacious and realistic in her analysis." "Tina applies a careful and methodical approach that means she is never caught out in the court room. Clients greatly appreciate her patience in explaining what is happening at court and what the options are."
Chambers & Partners 2018

"Tina's strengths are her patience and ability to quickly get to the core of a matter."
The Legal 500 UK 2023

"A personable approach to lay clients. Excellent attention to detail and pragmatic in terms of advice and outcome."
The Legal 500 UK 2021

"Sought out for advice on homelessness appeals, housing matters involving anti-social behaviour and disrepair claims."
The Legal 500 UK 2020

"Merges imaginative solutions with calm and measured advocacy."
The Legal 500 UK 2019

"Clients appreciate her clear explanations and pragmatic advice."
The Legal 500 UK 2017

“She represents both landlords and tenants in antisocial behaviour cases.”
The Legal 500 UK 2016

“She is recommended for acting for tenants and landlords.”
The Legal 500 UK 2015

“An excellent persuasive advocate, who is extremely thorough. Exceptional client care.”
The Legal 500 UK 2014

Reported Cases

Tina is currently involved in an important appeal which will provide guidance on the reopening of appeals in the County Court.

R (Kuznetsov) v Camden LBC [2019] EWHC 3910 (Admin)

Tina represented the authority and successfully defended a costs order made against the Claimant. Mostyn J held that the authority were entitled to their in-house solicitor's costs at hourly rate of an independent solicitor in private practice (£317ph), notwithstanding that a FOI request revealed that the actual maximum hourly pay of a lawyer working for the authority was a fraction of such sum (£41ph).

The court also considered the principles to be applied when considering an application to set aside or vary or stay an order made pursuant to rule 3.3(4). The judgment may be found [here](#).

Kannan v Newham LBC [2019] EWCA Civ 57

Tina Conlan represented the London Borough of Newham in the Court of Appeal in relation to their decision that accommodation provided under the main homelessness duty was suitable. The Court of Appeal considered the extent to which the authority was required to consider the actual and likely future duration of such accommodation. The judgment can be found [here](#).

Harris v Hounslow LBC [2017] EWCA Civ 1476

Tina successfully represented the authority in this appeal on statutory review requirements and public law defences to claims brought on the absolute ground for possession. A digest of the case can be read [here](#). The full text of the judgment can be found [here](#).

Ahern v Southern Housing Group[2017] EWCA Civ 1934

Tina acted as junior in this appeal which addressed the nature of public law defences to possession claims. Click [here](#) for

Webb v Wandsworth LBC [2008] EWCA 1643

Successful appeal against a suspended order in a nuisance possession case. View the court decision [here](#).

***Arabhalvaei v Rezaeipoor* (Central London County Court) December 2007 Legal Action 30 and January 2008 Legal Action 36**

Tina represented Mr Rezaeipoor, a protected tenant who was awarded some £188,000 in damages as against his landlord for disrepair and harassment.

Qualifications

- University of Bristol – Bachelor of Laws Honours Degree LLB
- Rijksuniversiteit Groningen (the Netherlands) – ERASMUS year

- Charles University Prague – Master of Laws in European Law LLM
- Inns of Court School of Law – Bar Vocational Course

Professional Memberships

Constitutional and Administrative Law Bar Association
Common Law and Commercial Bar Association

Article and Publications

Assistant Editor of the Encyclopaedia of Housing Law and Practice (January 2005 to November 2008)

Member of the editorial team for the weekly on-line publications Housing view and Local view (January 2004 to January 2005)

Seminars and Training

Tina regularly provides training to local authorities and legal professionals. Her recent webinars/ seminars have included the public sector equality duty, homelessness and allocations, banning orders, dilapidations and the Domestic Abuse Act.

Upcoming seminars:

Challenging Social Housing Allocation Policies – Key Areas Explored
27 October 2023

Tina will provide an overview of the relevant law and provide practical, up-to-date guidance on key areas of challenge to local housing authority allocation policies.

Challenging Social Housing Allocation Policies – Key Areas Explored – Learn Live

ASB Injunctions – What You Need to Know
10 November 2023

Injunctions are a valuable tool in addressing anti-social behaviour.
This virtual classroom seminar provides practical guidance on injunctions under the Anti-Social Behaviour, Crime and Policing Act 2014.

ASB Injunctions – What You Need to Know – Learn Live

Social Media

LinkedIn