

Daniel Crehan

Called: 2014
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PROFILE

Dan is a member of the Property division, specialising in Landlord and Tenant law, having joined chambers in 2017 following the completion of his pupillage.

Dan has considerable advocacy experience, having successfully acted as sole counsel at High Court appellate level.

In 2024, Dan successfully acted as junior counsel in the Court of Appeal in *Rahimi v City of Westminster* [2024] EWCA 73, one of the leading cases on the issue of the surrender of a joint tenancy by operation of law and the circumstances in which the Court can infer a new tenancy by conduct.

Dan is known for his robust advocacy, personable approach, and thorough preparation.

EXPERTISE

Landlord and Tenant

Dan is a specialist in Landlord and Tenant litigation and his practice encompasses the full range of disputes within the area. Dan acts for both landlords and tenants in respect of both residential and commercial property, including social housing and leasehold matters.

Early in his career, Dan undertook secondments within the legal departments of large public sector landlords. As a result, Dan developed a deep knowledge of the issues that arise within social housing law and is able to give pragmatic, client-focused advice.

Dan is particularly experienced in claims concerning the issues of succession, surrender by operation of law and the circumstances in which the Court can draw the inference of a new tenancy by conduct, having successfully acted for the City of Westminster in the High Court in *City of Westminster v Kazam* [2023] EWHC 826 (KB) and as junior counsel to Nicholas Grundy KC in the Court of Appeal in *Rahimi v City of Westminster* [2024] EWCA 73.

Dan is also well known for his experience in disrepair claims, including the drafting of robust defences and applications to strike out unmeritorious and defectively pleaded claims.

Other notable experience includes:

- Successfully appealing the decision of a District Judge that it was not reasonable to make a possession order in a case where a tenant had deliberately lied to obtain a tenancy.
- Successfully representing a commercial landlord in proceedings concerning the issue of whether a tenant was a tenant at will or a periodic tenant with the protection of the Landlord and Tenant Act 1954.
- Drafting a Court of Appeal CPR 52CPD.19 Statement on why permission to appeal should be refused.
- Defending a Local Authority against an application to commit its CEO to prison for contempt of court.
- Representing a freeholder in a claim by a leaseholder for over £100,000 concerning an alleged breach of the repairing covenant.
- Successfully defending a commercial tenant in a rent arrears claim on the basis of the landlord's procedural breaches.

Trusts & Cohabitee Disputes

Dan also has a particular interest in cohabitee disputes and applications under the Trust of Land and Appointment of Trustees Act 1996 ("TOTALA"). Dan accepts instructions in matters concerning:

- Applications under section 14 TOLATA
- Implied, Constructive and Resulting Trusts
- Proprietary estoppel

FURTHER INFO

Publications

- Lexis Nexis PSL: *Surrender of a tenancy by operation of law: Westminster v Kazam*
- Landlord and Tenant Review: *Surrender of a Joint Tenancy by Operation of Law: Westminster v Kazam*

Qualifications

- BPTC – Very Competent (91% in narrative advocacy – 3rd in Year)
- GDL – Distinction

- BA (History) at the University of York – First Class

Scholarships and Prizes

- Levitt Scholarship Lincoln's Inn
- Hardwicke Award Lincoln's Inn

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