

Sean Pettit

Called: 1997
seanpettit@fivepaper.com



PROFILE

Sean is an established property law barrister with over 25 years of experience in all areas of the law pertaining to Real Property and Landlord and Tenant law.

Sean has particular experience in leaseholds and tenancies: disrepair and dilapidations, unlawful eviction, residential landlord and tenant, commercial landlord and tenant, business tenancies, mobile homes, easements, trusts of land and estoppel.

In the context of Local Government Housing, Sean has considerable experience in Statutory Appeals, Judicial Review and cases involving Public Law, Human Rights and EC Law issues.

Sean regularly appears in the County Court, the Administrative Court, the FTT and UT as well as Magistrate's and Crown Court in regulatory matters.

Sean has been instructed in numerous landmark cases, including:

- *Global 100 v Jimenez* [2023] EWCA Civ 1243. An appeal from the Upper Tribunal (decisions of the President and the Deputy President) to the Court of Appeal on the question of whether two vacant office buildings occupied by "property guardians" were houses in multiple occupation under the Housing Act 2004 s.254.
- *Norton v Haringey LBC* [2022] EWCA Civ 1340. An appeal to the Court of Appeal in a Statutory Homelessness Appeal as to whether the local authority had discharged its duty by making a valid Private Sector Rented Offer.
- *Global 100 v Laleva* [2021] EWCA Civ 1835. An appeal of the judgment of HHJ Luba KC which is authority for 3 separate issues: (i) The threshold test for an arguable defence under CPR 55.8; (ii) the distinction between a lease and a licence; (iii) estoppel between licensor and licensee.
- *Panayiotou v London Borough of Waltham Forest, Smith v London Borough of Haringey* [2017] EWCA Civ 1624. Homelessness appeal on the meaning of 'significantly' post Hotak; and the contracting out of part VII decision-making.

Sean spent 2 years as a consultant at a firm of solicitors specialising in Property and Telecommunications law, advising on Real Property and Landlord & Tenant matters, including leases, licences, wayleaves and property-related issues arising in the context of the Electronic Communications Codes.

For a number of years, Sean taught Land law and Trusts at the London School of Economics.

EXPERTISE

- Landlord and Tenant
- Social Housing
- Property
- Homelessness
- Judicial Review
- Local Government

FURTHER INFO

Education/ Qualifications

- BA (Hons) LSE Anthropology and Law
- Duke of Edinburgh Entrance Award (Inner Temple)
- Law Society Accredited training course provider in Housing Law.
- Former Part-time teacher of Land Law, Equity and Trusts at the London School of Economics.

Reported Cases

- ***Global 100 v Jimenez* [2023] EWCA Civ 1243**
An appeal from the Upper Tribunal (decisions of the President and the Deputy President) to the Court of Appeal. Whether two vacant office buildings occupied by “property guardians” were houses in multiple occupation under the Housing Act 2004 s.254.
- ***Norton v Haringey LBC* [2022] EWCA Civ 1340**
An appeal to the Court of Appeal in a Statutory Homelessness Appeal. Whether the local authority had discharged its duty by making a valid Private Sector Rented Offer.
- ***Global 100 v Laleva* [2021] EWCA Civ 1835**
An appeal of the judgment of HHJ Luba KC which is authority for 3 separate issues: (i) The threshold test for an arguable defence under CPR 55.8; (ii) the distinction between a lease and a licence; (iii) estoppel between licensor and licensee.

- ***Panayiotou v London Borough of Waltham Forest, Smith v London Borough of Haringey* [2017] EWCA Civ 1624.**
Homelessness appeal on the meaning of 'significantly' post Hotak; and the contracting out of part VII decision-making.
- ***Falastin Amin v London Borough of Brent* (7/7/2011) LAG**
Homelessness Appeal turning on the definition of 'worker' within the meaning of Article 39 of the Treaty of Rome.
- ***Leon Denton v Southwark London Borough Council* [2007] EWCA Civ 623 (CA)**
Homelessness. Whether it was reasonable for a homeless person to continue to occupy accommodation the family home.
- ***R (Bashir Bantamagbari) v London Borough of Westminster* [2003] EWHC] 1350 (Admin)**
Homelessness. A council had acted unlawfully in refusing to accept a reference from another council, under s.198 Housing Act 1996, to house a homeless person as that person was correctly found to be unintentionally homeless.
- ***R (B) v London Borough of Southwark* (The Times 30/7/03)**
Homelessness. A prison cell was not accommodation within the meaning of s.175 Housing Act 1996. Therefore a prisoner eligible for release who had no other accommodation was homeless within the definition in the Act.
- ***London Borough of Lambeth v Delroy Stewart* (2002) HLR 747 (CA)**
Homelessness. A term of imprisonment did not break the chain of causation.

Training

Sean regularly provides training and seminars on subjects within his areas of expertise. Recent topics include:

- Succession to Statutory Tenancies
- Surrender
- Disrepair
- The Official Solicitor
- Judicial Review
- The Dept Respite Scheme
- Assistance for those with No Recourse to Public Funds
- The Electronic Communications Code
- Leaseholds and Cladding

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