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Scarlet Taylor-Waller



Called: 2019
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PROFILE

Scarlet maintains a busy chancery practice, with particular expertise in residential and commercial landlord and tenant disputes, insolvency, and real property matters.

Scarlet appears regularly as sole counsel in the County Court, High Court and tribunals with both appellate and trial experience. She has also been led in the Court of Appeal.

Scarlet was awarded a Diplock Scholarship from Middle Temple and graduated with First Class Honours before completing the GDL (Distinction) and BPTC LLM (Very Competent/Distinction). In 2024, Scarlet was awarded the Pegasus Scholarship from Inner Temple and completed a six-week placement in Bermuda with a leading offshore firm. During this time Scarlet gained valuable experience in offshore trusts, reinsurance, property disputes and arbitration.

Scarlet sits on the Chancery Bar Association Junior Sub-Committee.

Prior to coming to the bar, Scarlet worked at the Infected Blood Inquiry and for a legal start-up advising on SEIS/EIS tax relief.

EXPERTISE

Property

Scarlet has experience in a wide variety of property litigation, including landlord and tenant, real property, and social housing.

Landlord and Tenant
Scarlet has a broad landlord and tenant practice spanning both commercial and residential matters. She regularly appears in a range of specialist tribunals and courts. Recent work includes:

- Drafting, responding to, and appearing in applications concerning the reasonableness of service charge under s.27A of the Landlord and Tenant Act 1985.
- Successfully appearing for a landlord in an application under s. s.107(1) of the Commonhold and Leasehold Reform Act 2002.
- Applications for determination of breach of covenant under 168(4) of the Commonhold and Leasehold Reform Act 2002.
- Claims for and opposing relief from forfeiture.
- Mortgage possession claims.
- Opposed applications for Landlord and Tenant Act 1954 renewals.
- Dilapidations and multi-day disrepair trials.
- Applications for rent repayment orders under the Housing and Planning Act 2016.
- Advising on rights of first refusal under the Landlord and Tenant Act 1987.
- Right to manage disputes.
- Defending a claim for damages under s.27 and s.28 of the Housing Act 1988 for unlawful eviction.

Real Property
Property owners frequently seek Scarlet's advice in relation to a broad range of real property disputes. Recent work includes:

- Settling a defence in respect of the scope of an easement and claim for trespass.
- Advising on a claim for adverse possession.
- Drafting proceedings in a private nuisance claim concerning the encroachment of Japanese knotweed and subsequent enforcement claims.
- Advising and drafting proceedings for a breach of easement.
- Advising in respect of a breach of the Party Wall Act 1996.
- Advising in respect of boundary disputes.

Social Housing
Scarlet is regularly instructed by a wide variety of social housing providers and local authorities. She understands the practical challenges faced by these clients and the often sensitive and complex nature of housing disputes.

Scarlet's practice also includes s.204 appeals and judicial review. Most recently she has successfully represented LBWF led by Michael Mullin in ***Webb-Harnden v LB Waltham Forest*** **[2023] EWCA Civ** concerning the PSED and ***Ghaoui v LB Waltham Forest*** **[2024] EWCA Civ 405** concerning the Human Rights Act 1998 in the context of Part VIII of the Housing Act 1996.

Recent work includes:

- Successfully appearing in a variety of possession claims and trials where possession is sought following failed succession, non-occupation, trespass, and arrears.
- Successfully appearing for a landlord in multi-day disrepair claims.
- Appearing for landlords in an application for committal under Part 65 and Part 81.
- Applications for injunctive relief under Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Insolvency and Company

Scarlet accepts instructions in a wide variety of contentious personal and corporate insolvency matters, as well as related company law disputes. She frequently acts for creditors, debtors, companies, and officeholders in the full spectrum of applications and petitions under the IA 86.

Recent work includes:

- Winding up petitions and applications to rescind from first hearings to lengthier opposed hearings.
- Applications for court appointed liquidators.
- Administration extensions.
- Applications for enforcement via charging order under s.313 IA 86.
- Advising a creditor on the need for a validation order for relief of the effects of s.127 IA 86.
- Successfully resisted a bankruptcy petition concerning a debt over £4 million.
- Applications in respect of transactions at an undervalue.
- Applications to oppose the suspension of the automatic discharge under s.279(2) IA 86.
- Assisting in an application for a s.236 IA 86 private examination.
- Applications under the Companies Act 2006 including s.1096 ratification of the register under court order and s.859F extension of time to register a charge.

Private Client

Scarlet's private client practice includes wills, trusts and estate disputes, and claims under the Inheritance (Provision for Family and Dependants) Act 1975. Scarlet has a special interest in offshore trusts, having undertaken a six-week placement in Bermuda during which she gained experience in court approvals of dealings with trust property.

Recent work includes:

- Applications under s.14 of TOLATA 1996 including order for sale.
- Application to remove trustees where the remaining trustees lack capacity and s.1 of the Trustee Delegation Act 1999 is unavailable.
- Advising on a trust for sale.
- Advising on beneficial interests arising out of proprietary estoppel.
- Assisting on a case of testamentary capacity and undue influence.
- Advising on the existence of a constructive trust in respect of cohabitees.

FURTHER INFO

Education/Qualification

- Bsc (Hons), University of Southampton – First
- GDL, The University of Law – Distinction
- BPTC LLM, The University of Law – Very Competent/Distinction

Awards/Scholarships

- Diplock Scholarship (Middle Temple)
- Blackstone Entrance Exhibition Award (Middle Temple)
- Five Paper Buildings Examination-in-Chief Prize for Highest Mark (The University of Law)
- Pegasus Scholarship 2024

Memberships

- Chancery Bar Association
- Property Bar Association
- Commercial Bar Association
- R3 Association of Business Recovery Professionals

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