

Scarlet Taylor-Waller

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PROFILE

Scarlet has a busy commercial chancery practice encompassing real property, landlord and tenant, insolvency, and private client matters. Scarlet appears frequently as sole counsel with both appellate and trial experience and is comfortable as junior counsel in more complex matters.

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.

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.

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

EXPERTISE

Property

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

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.

Other recent work includes:

- Appearing in the FFT in applications concerning the reasonableness of service charge, determination of breach of covenant under 168(4) of the Commonhold and Leasehold Reform Act 2002, and applications for rent repayment orders under the Housing and Planning Act 2016.
- Drafting proceedings in a private nuisance claim concerning the encroachment of Japanese knotweed.
- Advising on rights of first refusal under the Landlord and Tenant Act 1987.
- Settling a defence in respect of the scope of an easement and claim for trespass.
- Successfully appearing in a variety of possession trials where possession is sought following failed succession, non-occupation, and arrears.
- Acting for a landlord in an application under s.14 TOLATA 1996 to ensure completion of a reverse staircasing.
- 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.
- Advising on a claim for adverse possession.
- Defending a claim for damages under s.27 and s.28 of the Housing Act 1988 for unlawful eviction.

Insolvency

Scarlet accepts instructions in a wide variety of personal and corporate insolvency matters. She frequently acts for creditors, debtors, companies, and officeholders in a spectrum of applications and petitions under the IA 86.

Recent work includes:

- Winding up petitions from first hearings to lengthier opposed hearings.
- Resisted the making of an order in a bankruptcy petition worth £4 million.
- Advising a creditor on the need for a validation order for relief of the effects of s127 IA 86.
- Applications in respect of transactions at an undervalue.
- Assisting in an application for a s236 IA 86 private examination.
- Drafting a witness statement to oppose the suspension of the automatic discharge under s.279(2) IA 86.

Private Client

Scarlet's private client practice includes wills, trusts and estate disputes, and claims under the Inheritance (Provision for Family and Dependents) Act 1975. Scarlet has a special interest in offshore trusts, having spent six weeks working in Bermuda, where she gained experience in the structuring of trusts and court approval of dealings with trust property.

Recent work includes:

- Applications under s.14 of TOLATA 1996 including order 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 cohabitants.

Commercial litigation

Scarlet has a broad commercial litigation practice including pure contractual disputes, the supply of goods and services, and recovery of assets. Scarlet is also regularly instructed in matters concerning the Consumer Credit Act and has experience in hire-purchase, simple hire, conditional sale, and other regulated agreements. She is experienced in handling applications at all stages and at trial.

Recent work includes:

- 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.
- Settling particulars in a claim for the wrongful interference with goods.
- Appearing in mortgage possession claims.
- Advising an agent on their legal entitlement to commission under a contract for sale.
- Assisting in settling an application to set aside default judgment and counterclaim for misrepresentation.
- Applications for enforcement via charging order and a subsequent order for sale.
- Successfully appearing in small claims school fees matters.

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
- Commercial Bar Association
- R3 Association of Business Recovery Professionals
- Property Bar Association
- Attorney General Civil Panel Junior Junior Scheme

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