



# Kevin Pettican

**Year of Call:** 1994

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## Property and Estates

Real property disputes form a significant part of Kevin's practice. Kevin has experience in the following areas:

- Commercial leases, especially contested lease renewals, forfeiture, arrears of rent and dilapidations claims
- Residential leases, especially disputes concerning the enforcement of covenants in long leaseholds
- Claims for specific performance of agreements for the sale and purchase of land
- Title disputes, including claims based on adverse possession
- Disputes between co-owners
- Boundary/neighbour disputes
- Mortgages and charges

### Reported cases

**Malik v Malik:** a long-running family dispute concerning the disputed ownership of a valuable leasehold flat in Knightsbridge giving rise to some complex issues concerning the application of the law of adverse possession to leasehold property.

**Dondore Incorporated v Fetaimia [2018] EWHC 1832 (Ch):** Successful defence of a possession claim tried over 5 days in the Chancery Division concerning the ultimate beneficial ownership of a £2.5 million flat in Knightsbridge. The court found that Kevin's client had entered into an oral agreement with the claimant to purchase the shares in a BVI company that owned the flat, and that the purchase price had been paid to an African company controlled by the claimant.

**Ashley Gardens Freeholds Ltd v Landor (2017) Central London County Court:** Successful claim for forfeiture of a long residential lease on the grounds that, by using the flat to operate a B&B business, the leaseholder was in breach of a user covenant prohibiting the use of the flat "for any purpose whatsoever other than as a private residential flat in one occupation". The leaseholder was granted relief on terms that she sold the flat within six months of the judgment to avoid the freeholder obtaining a windfall at her expense. The case received substantial press attention.

**King v Robertson [2014] UKPC 34:** An appeal to the Privy Council from the courts of St Vincent and the Grenadines concerning adverse possession of land.

## Academic qualifications

- BA (First Class Honours), Christ Church, University of Oxford
- Bachelor of Civil Law (BCL), Christ Church, University of Oxford
- BPTC, Inns of Court School of Law

## **Scholarships**

- Major Scholarship, Inner Temple
- Duke of Edinburgh Scholarship, Inner Temple

## **Professional bodies**

- Inner Temple

## **Direct Access**

Kevin Pettican is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.