

## Jonathan Lowe

Call 2008



### Clerks' Details

• Joe Mawson  
• 0161 817 2753

• Tom Gornall  
• 0161 817 7139

• Prya Anisa  
• 0161 817 2794

### Appointments

• Accredited Mediator

### Memberships

- Northern Circuit
- Northern Circuit Commercial Bar Association
- Chancery Bar Association
- Northern Chancery Bar Association

### Education

- LLB (Hons) University of Newcastle upon Tyne (Class II:1 1992)
- Law Society Finals, College of Law, Chester (1993)

### Property & Planning CV

#### Overview

Jonathan is instructed in the following areas:

- Mortgage disputes, mainly for lenders
- Real property disputes
- Landlord and Tenant
- Probate actions, in particular Inheritance Act claims
- Trusts

He has appeared before the courts and various property tribunals dealing with the various disputes arising in these areas.

## Cases

### Selected Concluded Cases

- Consolidated Finance Limited v Hunter [2010] BPIR 1322 – successful claim for possession by a mortgagee following breach of bridging finance agreement
- Successful claim for possession by a mortgagee in the face of multifarious defences including breach of FCA regulations, breach of agreement and equitable arguments
- Successful claim for declaration of entitlement to beneficial interest in a property and order for sale pursuant to section 14 Trusts of Land and Appointment of Trustees Act 1996
- Successful defence to claim for a right of way based on prescription
- Partially successful two day hearing before the Leasehold Valuation Tribunal concerning withheld service charges
- Successful claim at trial and on appeal by a landowner enforcing prescriptive right of way to a landlocked property

### Examples of Ongoing Cases

- Various actions arising from mortgages
- Action for an order for sale by a charge holder in the face of a claim to beneficial ownership by the spouse of the debtor.
- Family dispute as to beneficial entitlement to substantial land holdings
- Boundary disputes
- Proceedings involving the interpretation and application of repairing covenants in a lease

## Beyond the Bar

Outside work, Jonathan's time is spent having fun with his family and walking his dog. When time allows he enjoys playing tennis and golf and otherwise socialising with friends and going to concerts.