

Managing disrepair

The problem

Landlords are facing more disrepair claims than ever before and with Fitness for Habitation becoming fully retrospective on 20 March 2020 this trend is set to increase.

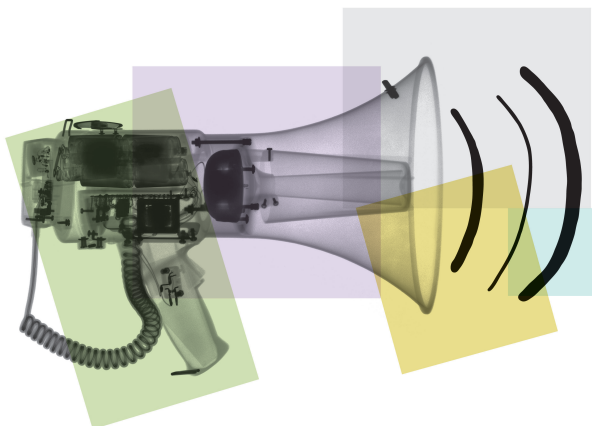
Once a significant source of income for claims lawyers, personal injury litigation is now largely covered by the Personal Injury Claims Portal, making this litigation far less profitable for lawyers and claims management companies than they had been previously.

Housing disrepair claims are exempt from this portal and so solicitors' firms and claims management companies are diversifying to identify alternative sources of revenue. Entire housing estates are being targeted by claims management company representatives going from door to door, actively seeking potential claims.

The solution

Landlords can take a number of steps to minimise the risk of being targeted by claims management companies. We can help you devise strategies to manage and reduce that risk.

However, it is not possible to prevent claims altogether. Tenants can, and will, pursue disrepair counterclaims in rent possession cases to buy time in the proceedings, even if those claims have little or no merit and will almost certainly fail. If you receive such a claim, you need solicitors with a proven track record in defending disrepair claims, minimizing the delay and distraction they can cause and, where relevant, seeing your possession claim through swiftly and efficiently.



How Capsticks can help

- We know the tactics tenants' lawyers will deploy in pursuing disrepair claims against landlords and how to counter them.
- We will set out our view on liability clearly at the outset of a case.
- We will give you straightforward commercial advice on settlement and act to minimise reputational damage to your organisation.
- We have many years' experience of defending claims brought under the Environmental Protection Act 1990 and Housing Act 2004.

If you would like to find out more about how Capsticks can support your organisation, please get in touch with a member of our team.

Contact



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