

## Tim Foley

### Partner

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## Overview

Tim Foley is a partner in the real estate department at Fladgate.

He specialises in contentious real estate matters advising a varied client base across the property industry. He acts for retailers, developers, investors and high net worth individuals. He has experience of all aspects of landlord and tenant issues including 1954 Act renewals, breaches of covenant, dilapidations, service charge disputes, forfeiture, property damage claims. Tim additionally has experience of rights of light, restrictive covenants, misrepresentation claims, nuisance, party wall issues, specific performance and possession proceedings.

Additionally Tim has extensive experience of commercial dispute resolution being disputes over the construction of commercial documents, misuse of confidential information, fraud, professional negligence, financial instruments and aviation matters such as the enforcement of aircraft leases, delivery and redelivery matters and repossession of aircraft.

## Experience

- The *Carphone Warehouse v Cyrus Malekout* (Court of Appeal) Possession proceedings under the Rent Act 1977.
- Successfully acted for a long-term property investor in relation to their proposed redevelopment of a site on New Cross Road, London, into new residential units.
- Acting for a subsidiary of the UK's largest social landlord regarding high court litigation concerning infringement of rights of light.
- Acting for Native Land on its £1bn scheme for the development of Bankside Quarter in London, obtaining vacant possession of offices and numerous other

## Expertise

### Real Estate Law

- [Brownfield](#)
- [Real Estate Litigation](#)

## Industry

### Owner Managed Businesses

### Real Estate

### Hotels

### Retail

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## Location

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Fladgate LLP  
16 Great Queen Street  
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## Contact Us

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commercial units.

- Successfully secured vacant possession of a proposed redevelopment of a site on New Cross Road, London for residential redevelopment.
- Acting for a leading international outsourcing company in successfully defending a GBP 1.5 million dilapidations claim.
- *State of Libya v Mainstride Limited*. Acting for the State of Libya regarding a GBP 4.5 million piece of high court litigation relating to a former Libyan school in London. The dispute concerns a claim for further consideration under the sale contract.
- Acting for a UK landlord against the guarantor of a tenant of industrial premises that had been damaged substantially by fire; where the tenant's actions had vitiated the insurance policy for the premises.
- Acting for a major UK firm of accountants in a negligence claim against its solicitor for in relation to a failure to exercise a lease break.
- Acting for fashion retailer, Miss Sixty, regarding a successful application for declaration of tenant rights under the Landlord and Tenant Act 1954.
- Acted for a leading African airline concerning an £80m dispute over the state and condition of two long-range commercial passenger aircraft at the end of the lease.
- Acted for a leading Swiss bank in the repossession of business jets from Russian individuals that were made subject to US and EU sanctions.
- *Uniq plc v Wincanton Group Limited*. Acted for the Defendant in £15m dispute over the construction of a commercial agreement concerning the operation of a regional logistics hub warehouse.

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