

# Landmark Chambers

## Barrister CV


Ellodie Gibbons



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## Ellodie Gibbons

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“An understated but formidable opponent”, Ellodie is a specialist leasehold barrister, particularly known for her expertise in leasehold enfranchisement, but with a practice spanning all aspects of landlord and tenant law and areas of real property.



Expertise

Property

## Contact Practice Managers

### **Mark Ball**

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### **Harry Feldman**

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## Property

Ellodie is a specialist leasehold barrister with particular expertise in leasehold enfranchisement, service and administration charge disputes, right to manage and rights of first refusal. She also deals with related areas of law such as easements, restrictive covenants, property related professional negligence and commercial landlord and tenant.

Ellodie has extensive experience in all aspects of landlord and tenant work, including:

- Acting for freeholders and leaseholders of houses under the Leasehold Reform Act 1967
- Residential leasehold management and disputes under the Landlord and Tenant Act 1985

- Rights of first refusal, the variation of leases, the appointment of a manager and freehold acquisitions (particularly in the case of missing landlords) under the Landlord and Tenant Act 1987
- The extension of leases and acquisition of freeholds via collective enfranchisement under the Leasehold Reform, Housing and Urban Development Act 1993; and
- The Right to Manage under the Commonhold and Leasehold Reform Act 2002.

Ellodie also deals with more general leasehold issues such as the interpretation of covenants and appeared in the leading Supreme Court case on the reasonableness of withholding consent under a qualified covenant, a case which concerned mixed use property and the enfranchisement risk of a change of use. Ellodie is equally happy to deal with non-leasehold easements and covenants and has considerable experience advising on the release of restrictive covenants affecting not only leasehold, but also freehold, land under section 84 of the Law of Property Act 1925.

Ellodie acts for a broad range of clients, including the Great Estates, Crown tenants, groups of leaseholders, Local Authorities, developers, ground rent investors, high net worth individuals, housing associations and other charities and educational establishments. Ellodie's work covers the length and breadth of England and Wales and she regularly travels to, or attends remote hearings in, areas with a high density of flats, such as the south coast, or leasehold houses, such as the Midlands.

Ellodie has experience of appearing before the courts at all levels and the First-Tier Tribunal and Upper Tribunal of the Property Chamber. However, she also understands the importance of keeping matters out of court, particularly as the majority of her work involves advising on transactions or acting in disputes in which the parties will be obliged to have a continuing relationship following the conclusion of that dispute. In this regard, she often reviews, drafts or advises on the validity of notices and advises on valuation issues or the terms of leases and transfers. Ellodie has also been praised by mediators for her approach to mediation.

Ellodie regularly speaks and writes on landlord and tenant matters. She is a contributor to 'Service Charges and Management' (Sweet & Maxwell) and is co-author of 'Leasehold Enfranchisement Explained' (RICS Publishing), a book which seeks to explain the legal aspects of enfranchisement for valuers but has been used widely by lawyers wanting an accessible guide to the subject. Whilst 'Leasehold Enfranchisement Explained' is now out of print, its content appears, and is regularly maintained by Ellodie, on iSurv, the RICS best practice website.

Ellodie's enthusiasm and aptitude for dealing with the valuation aspects of leasehold enfranchisement has been further developed by her work on the Leasehold and Freehold Reform Act 2024. Up until the passing of the Act, Ellodie was a member of the Law Commission's Residential Leasehold and Commonhold team with particular responsibility for the reform of the valuation provisions.

## Qualifications

- MA (Cantab)

# Recommendations

"Ellodie is bright, effective and thoughtful."

**Real Estate Litigation, Chambers and Partners, 2024**

"As an advocate she is master of the papers. She's extremely good on her feet, persuasive and good at taking the court along with her, and robust in defending her position when necessary."

**Property Litigation, Legal 500, 2024**

"She is very strong in her approach and firm in court. An understated but formidable opponent." "Ellodie Gibbons is very approachable."

**Chambers and Partners, 2023**

"Ellodie is very user friendly and an exceptionally hard working barrister."

**Legal 500, 2023**

"She gives very good practical advice on the complexities of leasehold enfranchisement." "She is very approachable and easy to work with."

**Chambers and Partners, 2022**

"Great technical ability but down to earth, and able to explain issues easily to lay clients. She also has great client inter-personal skills, is able to cut straight through to the issues and is commercial too."

**Legal 500, 2022**

"She is collaborative, easy to work with, understands clients' demands and is able to meet deadlines and unexpected urgent applications. A really good senior junior."

**Chambers and Partners, 2021**

"Strong legal knowledge in subject areas, very good on feet as an advocate, blended with commercial common sense and good client relations."

**Legal 500, 2021**

"She is extremely bright, commercial and very approachable. She offers invaluable quality."

**Chambers and Partners, 2020**

"Highly experienced and shrewd when dealing with judges."

**Legal 500, 2020**

“She’s extremely good on her feet, persuasive and good at taking the court along with her.” “Ellodie is a gifted lawyer who takes a practical, common-sense approach.”

#### Chambers and Partners, 2018

“Rated highly.”

#### Legal 500, 2017

## Cases and inquiries

11 07 24	Upper Tribunal finds cost of work needed to remedy structural defects not recoverable as part of the service charge
24 01 23	Patwardhan v Ivygate Developments Ltd [2022] EWHC 3367 (Ch)
02 06 22	House of Mayfair Ltd v Aitchison [2021] UKUT 73 (LC)
10 01 22	Mortimer v Eco Chic Limited (unreported)
30 10 19	Sequent Nominees Ltd (formerly Rotrust Nominees Ltd) v Hautford Ltd [2019] UKSC 47
19 06 17	JGS Properties Ltd v King [2017] UKUT 233 (LC)
01 11 16	Portman Estate Nominees Ltd v Starlight Headlease Ltd [2016] UKUT 0467 (LC)
01 11 16	Greenpine Investment Holding Ltd v Howard de Walden Estates Ltd [2016] EWHC 1923 (Ch)
04 12 15	Moorjani v Durban Estates Ltd [2015] EWCA Civ 1252
08 12 14	Merie Bin Mahfouz Co (UK) Ltd v Barrie House (Freehold) Ltd [2014] UKUT 390
08 09 14	Plotnek v Govan [2014] UKUT 332 (LC)
17 03 14	London Borough Camden v The Leaseholders of 4767 Residential Properties, Unreported, 2014, First-tier Tribunal (Property Chamber)
26 06 13	Money v Cadogan Holdings Ltd [2013] UKUT 0211 (LC)
20 11 12	Westmacott v Ackerman [2012] UKUT 415 (LC)

21 03 12	Richard Ayres & Ors v Jonathan Roberts & Anor [2012] L. & T.R 1
25 01 12	Barrie House Freehold Ltd & Ors v. Merie Bin Mahfouz Company (UK) Ltd [2012] EWHC 353 (Ch)
02 01 12	Avon Castle Limited v C.R Vending & Electronics Limited, Unreported, 2012, LVT
12 12 11	Palley v London Borough Camden [2010] UKUT 469 (LC)
21 11 11	Calladine-Smith v Saveorder Ltd [2011] EWHC 2501 (Ch)
10 09 09	Sherwood Hall (East End Road) Management Company Limited v Magnolia Tree Limited [2009]
01 01 07	Halahmy v The Westminster Roman Catholic Diocese Trust LON/CIOAC/OLR/2007/1439, LVT

## Publications

Contributor, Service Charges & Management, Sweet & Maxwell

Co-author, Leasehold Enfranchisement Explained, RICS Publishing (2010)

Contributor, iSurv, the RICS?- best practice website