

Practice Areas

Overview

Banking and Financial Services

Commercial Disputes

Consumer Credit

Pensions

Professional Liability

Property

Peter Dodge

| Call 1992

Profile: Property

Experience and Expertise

Before starting at the Bar, Peter Dodge worked in the City as a fund manager in the asset management division of a leading investment bank. He advised pension funds, building societies, unit and investment trusts, offshore mutual funds, charities and high net worth individuals. He participated in the London Business School's Investment Management Programme and holds the Certified Diploma in Accounting and Finance awarded by the Association of Chartered Certified Accountants. On completion of the Bar Vocational Course, he won the Everard Ver Heyden Foundation Prize for Advocacy.

Property litigation is one of the core areas of Peter's practice. Chambers is renowned for its expertise in the field of secured lending and Peter has extensive experience of acting for banks, building societies and other lenders, as well as for borrowers, in disputes concerning the enforcement and validity of mortgages (many such disputes now involving issues of subrogation). However, his expertise is not limited to mortgages; he has extensive experience of disputes concerning, for example, challenges to the validity of contracts for the sale of land, business and residential tenancies; agricultural holdings, easements; restrictive covenants; overage agreements; party walls; and the payment of fees for the conduct of rating appeals. Moreover, the boundaries of Peter's core practice are not rigid. Many sets of instructions also require thorough expertise in other branches of Chancery work, with the relationship between property law and insolvency law becoming increasingly important.

Within the field of property litigation, Peter has acted for a wide range of clients including banks and other mortgage lenders, developers, institutional landlords, business and agricultural tenants, investors in portfolios of residential ground rents, local authorities and office holders such as the court appointed manager of a farming partnership. Equally varied are the types of professional client for which he has worked, these including City solicitors, large regional firms, smaller specialist or niche practices and corporate in-house lawyers. In appropriate cases, Peter is happy to accept instructions under the Public Access Scheme.

As well as being a highly effective courtroom advocate. Peter has experience of tribunal advocacy, arbitration and mediation. He sees litigation as a continuing process, believing that consistency in the presentation of a case from the very beginning provides the strongest negotiating position for early settlement.

Peter writes for various publications in his core practice areas. He is regularly invited to speak on newsworthy topics within those areas both by legal training organisations and firm of solicitors. He sees this as an important part of the process of building relationships and understanding with professional clients and is always happy where possible to assist existing and potential clients with their in-house training programmes. In recent years, Peter has been in particular demand as a speaker on topics related to mortgage fraud.

Notable cases

Morningside Residents Association Ltd v Martin [2015] EWLandRA 2014/0193

Graves v Capital Home Loans Ltd [2014] CTL 233 (CA)

Jesmond Park Estate (2009) (LVT): Landlord and Tenant Act 1985, ss 20ZA, 27A, 20C, Party Walls etc Act 1996 (whether costs of compliance with party wall award recoverable as service charge)

Eurostar Ltd v Kwik-Fit (Eastern) Ltd (2006) (Central London CC) (business tenancy; whether rent concession binding)

Cottrell v Cottrell (2006) (Ch D) (remuneration of Court appointed farm manager; whether items of expenditure to be disallowed on taking of account)

Design Progression Ltd v Thurloe Properties Ltd [2005] 1 WLR 1 (Ch D): Landlord and Tenant Act 1988, s 4 (whether exemplary damages recoverable for breach of statutory duty)

Hermes Homes Ltd v Dibb Lupton Alsop (2002) (Ch D, Birmingham) (assessment of

damages where vendor subsequently unable to enforce restrictive covenant)

Lerman v Roomes (2004) (County Court order for possession; whether to be enforced by way of order for committal)

Gilhooly v Grix (2000) (Ch D) (whether Tomlin order to be set aside on grounds of economic duress)

R v London Borough of Southwark, Ex p Mason (2000) CO/4112/98 (QBD) (Legal Aid Act 1988; liability of legally assisted party under order for costs)

[Samuel v Fatih](#) (2000) 80 P & CR D45 (CA) (acquisition of right of way by lost modern grant)

Articles

Managing Your Expert (2009) 13 L & T Rev 100 (Sweet & Maxwell)

Case Commentary: Ultimate Leisure Ltd v Tindle [2007] EWCA Civ 1241 (2008) 12 L & T Rev 13 (Sweet & Maxwell)

Rent Act statutory tenancies: The requirement of occupation (2006) 10 L & T Rev 8 (Sweet & Maxwell)

Webinars

The following webinars presented by Peter are currently still available on demand:

[The Latest in mortgages](#) (LexisNexis Webinars) (originally streamed live on 18 March 2016)

Agricultural Dispute Resolution: Jurisdiction, Appeals, Procedure & More (MBL) (Webinar and DVD: click [here](#) to view details or to book)