

# Our expertise, your way



**PowellsLaw** 

Summer 2016

## Our new business service – Law on Call

**We are currently developing our new business focussed legal service, Law on Call.**

This service will be available to any business on a retainer style pricing arrangement giving businesses easily accessible initial assessment advice and guidance. Law on Call will give you the freedom to call one of our expert lawyers anytime you are unsure of your legal situation whether that be around employees, contracts, property etc. We will then advise you based on the situation what the best approach is and whether you will need any additional legal support or not.

We will keep you updated of the launch date of this new service but if you have any questions in the meantime please get in touch **01934 623 501** and quote “Law on Call”.



# How are landlords affected by new legislation?

**It's been a tough time for residential landlords. You've been hit by a raft of new legislation and regulation changes in recent months and are probably feeling shell-shocked. Nevertheless, it's important to know how you're affected, so you can stay safe, legal and competitive.**

One of the more controversial regulations was brought in to combat so-called 'retaliation evictions'. It's part of The Deregulation Act 2015, which came into force in October. The new measure changes how landlords can serve a section 21 eviction notice at the end of an assured shorthold tenancy (AST). It's designed to protect tenants from being evicted when they complain about the condition of their home.



However, there are concerns that it's being abused. Some landlords claim they've served an eviction notice having not received any rent for many months. But they say tenants are using the new rules to avoid eviction by citing minor problems with the property.

And that's not all. The new Act prevents landlords from issuing a section 21 notice in the first four months of a tenancy, and gives section 21 notices a six-month life span. Landlords could also invalidate an eviction attempt if they don't give tenants an energy performance certificate (EPC), gas safety certificate and a DCLG 'How to rent' guide.

Since October, landlords have also been legally obligated to fit working smoke alarms and carbon monoxide detectors

in rooms where a solid fuel heating system is installed. Smoke alarms must be fitted on every floor of the home and landlords must test them at the start of every tenancy or face a £5,000 fine.



More recently, residential landlords have been told they must give permission for energy efficiency improvements to be made to properties. New regulations, which came into force at the start of April, allow tenants to ask for changes, including double-glazed windows, solid or cavity-wall insulation, loft insulation and solar water heating. Landlords can only refuse if the request is deemed 'unreasonable'. For instance, if the tenant can't show that the changes will make a significant improvement to the property's energy efficiency rating. However, the tenant will have to pay for the improvements or show that funding's available unless you agree to make a contribution. And you can also refuse the request if the changes reduce the property's market value by more than 5%.

With so many significant changes in a short space of time, it's understandable if you're feeling bewildered.

Powells Law can help you find out more about the new laws and regulations, and explain how these changes affect you. Our expert solicitors can also give you advice if you're involved in a dispute with a tenant. For more information please get in contact on **01934 623 501**.

## Reported civil litigation case

**A PowellsLaw case was recently reported after representing a mortgage lender in the Court of Appeal.**

The Court decided that it was an abuse of process for the borrowers to seek to pursue a claim against the lender. The borrowers alleged that the mortgage was unenforceable under Section 26 of the Financial Services and Markets Act 2000, when the lender had been granted a possession order by the court some two years earlier.

Civil litigation is a very complex area of law where it really pays to consult the advice of a specialist, PowellsLaw have an experienced team who can help you with any queries.



# Mediation – the amicable answer to divorce

## Why mediation?

No matter how they are settled divorces are unpleasant so it makes sense to minimise stress, upset and cost as much as possible especially if there are children involved.

That's why mediation is often the answer. It helps stop divorces descending into a bitter legal dispute that causes deeper family rifts and more distress. Mediation is a quicker and less expensive alternative. Court settlements can easily cost both parties £10,000 in legal fees but the average bill for mediation is a little over £500, according to the Ministry of Justice. It's also effective; more than two thirds of couples who try mediation reach an agreement in their divorce.

## So what is mediation?

It's a way of sorting out the issues that arise when couples decide to get divorced rather than the courts resolving them. Couples sit down together with an unbiased professional, who help them focus on matters that need a decision. Mediators are experienced in dealing with even the most complicated situations including property, savings, assets, inheritance and pensions.



## Powells Law's qualified mediator

Powells Law's Sian Hopkin has been a qualified mediator for more than 20 years. Sian's training and experience can help you come to agreements over sensitive and emotional issues surrounding your divorce.

To find out more about how mediation could help you please get in touch with Sian on **01934 637 904** or visit the website [www.powellslaw.com/mediation](http://www.powellslaw.com/mediation)

# Testimonials

**We are always very grateful to our clients who take the time to give us some feedback on the service that they received. We'd like to share with you a couple recent testimonials.**

"By using the services of this solicitor it enabled my husband and myself to move on with our lives in a huge way. We were so grateful for what they achieved and helpful in every way, after exhausting every avenue to settle our problem ourselves. After we had so much stress for 12 months they handled the whole situation professionally for us"

"I consider myself very fortunate to have the services of such a good firm of solicitors. Kind and supportive advice, great courtesy and professional efficiency"

If you would like to provide any feedback if you have recently been dealing with us please do – this can be done quickly and easily on our website [www.powellslaw.com/leave-feedback](http://www.powellslaw.com/leave-feedback) or you can complete a postcard from our office.



# Our new Partner

We would like to congratulate Jenny Brading on becoming a Partner within our firm.

Jenny has been with our Private Client Team for a number of years providing expert solutions for clients.



# Just off the High Street

We are pleased to announce that we will soon be coming to the High Street.

We are developing the shop below our offices to provide a facility to make accessing legal assistance easier than ever. This shop to begin with will provide the flexibility of being able to meet clients out of hours as well as being the focus of our new breakfast seminar programme. We hope in time to develop this into a drop-in information centre.

We will keep you updated on the progress of this.

# Welcome to our new Lawyers

PowellsLaw continues to grow and we are pleased to announce the appointment of three new lawyers; Ruth Slader has joined our Family Team, Daniel Langley has joined our Private Client Team and Bo Yee Fan has joined our Property Team, after completing her training contract with us.

## Daniel Langley

I am thrilled to be joining our thriving and highly regarded private client team here at Powells Law. I completed my training contract at a regional firm in Bristol but have lived in the Worle area ever since completing my Law Degree and Postgraduate Diploma at University of Sheffield. Aside from being a devoted Tottenham Hotspur fan, I am currently saving for my wedding next year and I am in the process of buying my first home. I predominantly deal with Wills, the administration of estates and Powers of Attorney.



## Ruth Slader

I have specialised in family law since qualifying in 2001. I have had experience in all areas of family law but have recently been specialising in complex private Children Act applications and high value financial settlements.



I am also an accredited Resolution member and like to approach each case in a client focused manner to always ensure the best outcomes possible for my clients.

## Bo Yee Fan

I completed my undergraduate studies at The University of Manchester and later moved to Birmingham to complete my postgraduate diploma at The College of Law before joining PowellsLaw as a trainee solicitor. During my time as a trainee, I have gained invaluable experiences in the areas of family, property and private client. I am very pleased to be staying with PowellsLaw in the Property & Commercial Department once I qualify and I look forward to a happy future here. Outside of work, I have a keen interest in travelling and the arts, especially arthouse film.



[www.powellslaw.com](http://www.powellslaw.com)