



James Davies

Call 2004

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Qualifications

BA (Oxon) BCL (Oxon) (Distinction) ACA

Scholarships

Lord Denning Scholar (Lincolns Inn 2003)

James Davies practises across a broad range of property and chancery work with experience of advisory work, drafting and advocacy. This work includes boundary disputes, nuisance, easements and landlord and tenant matters. James has experience of both commercial and residential premises, appearing for both the landlords and the tenants. James is an associate lecturer at Oxford Brookes University, teaching landlord and tenant law to Estate Management students. James's previous experience as a Chartered Accountant means he has a particular interest in capital taxes and professional negligence, including solicitors and client monies. Recent work has included:

- Drafting the Defence in a professional negligence case concerning allegations of breach of fiduciary duty by a Chartered Accountant
- Advising and drafting a Counterclaim in a neighbour dispute where the client was being subjected to CCTV surveillance.
- Acting for management companies in disputes with residential tenants, including recovery of service charge arrears and forfeiture proceedings.
- Representing the successful claimant in a week long trial concerning whether a sitting tenant was protected under the 1954 Act and the Standard Conditions of Sale. The claimant had purchased the property having been advised it was a residential tenant. The claim was brought against both the tenant and the vendor and succeeded against both.
- Advising the beneficiaries under a will in a dispute with the trustees and executors
- Representing a firm of solicitors in an action for delivery up of the client papers by a litigant in person. The firm claimed a lien. James represented both at first instance and on appeal and was successful on both occasions. The case is reported **Segar v Scott-Rees & Co.** [2006] CL 2759.
- Representing the Trustee in Bankruptcy on a successful appeal from the County Court to the High Court. The appeal, before Mr Justice Henderson, considered the important question as to the meaning of "needs" of the bankrupt in Section 335A of the Insolvency Act 1986 along with the issue of whether a Court was entitled to consider the circumstances of the making of the original bankruptcy order on an application for an order for sale. The case is reported **Everitt v Budhram** [2010] Ch 170.

Professional Bodies

Professional Negligence Bar Association