



Emma Shiels

Year of Call: 2021

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Commercial Landlord and Tenant

Emma is frequently instructed in commercial landlord and tenant matters and provides both advice and representation across a broad spectrum of disputes.

Her work includes cases involving possession and forfeiture, including applications for relief from forfeiture, as well as injunctions, lease renewals, and service charge disputes.

She has appeared in the County Court, High Court, and the First-tier Tribunal (Property Chamber).

- *Davies Dawson Commercial Limited v Mohan Retail Limited* – Emma successfully represented the Defendant in dismissing possession proceedings and gaining a favourable extension of the lease. The Claimant brought possession proceedings on the basis of alleged breaches of the lease. Emma successfully argued that the Claimant had waived their right to forfeiture on such breaches and was therefore not entitled to possession. At the hearing, an extension of the lease in the terms sought by the Defendant was agreed.
- *Burza v Mozart Property Limited* – In proceedings where liability had been admitted, Emma gained a favourable outcome for the Defendant in complex unlawful forfeiture proceedings in a 2-day trial. Following the trial, in the costs and consequential hearing, Emma successfully argued that it would be manifestly unfair for Part 36 consequences to apply where the Claimant had only beaten their Part 36 offer, made over 4 years prior to the trial, as a result of the significant rise to the Bank of England Base Rate following the Covid-19 pandemic and various international wars.

Academic qualifications

- BPTC LLM, Very Competent, University of Law
- LLB, 2:1, Nottingham Law School
- PGCE/MSc, Secondary Education (Mathematics), Loughborough University

Scholarships

- Excellence in Law Award, Nottingham Law School
- Finalist, LEX/Shoosmiths Negotiation Competition, Shoosmiths Nottingham

Professional bodies

- Honourable Society of Gray's Inn