

Joshua Dubin

Year of Call: 1997

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Commercial Landlord and Tenant

Joshua's practice encompasses the whole range of residential and commercial landlord & tenant advice and advocacy, including:

- Possession & forfeiture
- Tenancy renewal
- Disrepair & dilapidations
- Rent reviews
- Service charge disputes
- Anti-social behaviour
- Unlawful eviction.

Joshua has also represented clients in leasehold disputes over major works projects, and in a variety of cases relating to HMOs, civil penalties and tenancy disputes brought under the Housing Act 2004.

Joshua has particular expertise in social housing (including homelessness, allocations, human rights, and disability discrimination). He also has extensive experience of anti-social behaviour litigation, pursuing injunction applications on behalf of social landlords and defending possession claims brought against tenants accused of anti-social behaviour. He accepts publicly-funded housing work, as well as instructions from individuals and local authorities.

Recent cases

- *Piechnik v Oxford City Council* [2020] EWHC 960 (QB): establishing that right-to-buy leases are not impressed with the local authority landlord's extended right of access to remedy a state of affairs which is injurious to health or presents a risk of death or injury.
- Quashing a local authority's improvement notice issued under s.11, Housing Act 2004: FTT. (May 2018)
- 7-day hearing in the FTT representing 64 leaseholders, opposing the reasonableness of on-account service charge demands of up to £34,000 to fund a £3.5m refurbishment of 5 low-rise blocks. The Tribunal reduced the works price by approximately £400,000. (Feb 2018)
- Obtaining a final possession order against a private-sector assured shorthold tenant in 12 days from issue of an injunction application to final order, on the basis of serious anti-social behaviour, involving risk to property and people through fire (May 2015)
- *Thomas-Ashley v Drum Housing Association Ltd* [2010] EWCA Civ 265; (2010) 107(13) LSG 17; [2010] NPC 36: what is the extent of a social landlord's duty to alter its letting terms under ss 24A and 24D Disability Discrimination Act 1995.

Recommendations

Joshua Dubin of 3PB Barristers is a property specialist with a wealth of experience in social housing matters, as well as a wide range of other residential and commercial property disputes. He has significant knowledge of neighbour and boundary issues.

Strengths: "He is excellent to deal with as he always involves the clients to ensure they understand the process and the arguments being raised."

"He has the ability to focus on the bigger picture in cases, is approachable and clear in his advice."

"He is always on hand to offer tactics and is happy to discuss the case."

"His advice is comprehensive and covers every detail."

Chambers UK 2024/Real Estate Litigation/South Eastern Bar

Strengths: "He is a very safe pair of hands, and he has good judgement. He can hold his own against silks."

Chambers UK 2023/Real Estate Litigation/South Eastern Bar

Strengths: "Joshua knows the law inside out and brings his housing experience to the fore in cases." "He is efficient and clients love him."

Recent work: Acted for the residents of a five-block estate in an Upper Tribunal case which considered various issues relating to consultation requirements for the landlord's service charge demands for the replacement of balcony asphalt.

Chambers UK 2022/Real Estate Litigation/South Eastern Bar

Strengths: "Completely on top of the law and facts." "Joshua is very commercial and he has the client's interests foremost."

Recent work: Acted in a long-running neighbour dispute, involving issues of trespassing, nuisance and negligence. Dubin's clients were awarded prohibitory injunctions, damages and costs.

Chambers UK 2021/Real Estate Litigation/South Eastern Bar

'Joshua has excellent communication skills and ensures the solicitor is involved in the process.'

Legal 500 2024/Property and Construction/ South Eastern Circuit/ Leading Junior

Veteran social housing practitioner Joshua Dubin has extensive experience acting for tenants, occupiers, and local authorities.

'Joshua has an enviable knowledge of law and procedure. He has particular strengths in navigating vast amounts of information and distilling clear, robust and practical advice. He is a strong advocate, meticulous and systematic in cross-examination, and formidable in trials.'

Legal 500 2023/Property and Construction/Leading Juniors/South Eastern Circuit

'An intellectually sharp, calm under pressure, and dependable barrister.'

Legal 500 2022/Property and Construction/Leading Juniors/South Eastern Circuit

'A good lawyer: an effective advocate and cross-examiner who is hardworking too.'

Legal 500 2021

'Tenacious and persistent.'

Legal 500 2020

"His advice is precise and succinct."

Legal 500 2019

"Your professionalism, thoroughness, tactics and overall performance during the hearing were top notch and I will not be convinced otherwise than that you were the major factor in our being successful in the dismissal of the claim against us."

Direct Access client

Academic qualifications

- MA Hons, English Literature Corpus Christi College, Cambridge (1991)
- Bar Vocational Course, Inns of Court School of Law in 1997/98.

Professional bodies

- Property Bar Association
- Agricultural Law Association
- Housing Law Practitioners' Association
- Social Housing Law Association
- London Common Law and Commercial Bar Association
- South Eastern Circuit