

Additional Services

At William Graham Law we have established over many years a strong knowledge base and experience which allows us to offer the widest possible services to the housing provider sector. In line with this Richard Payne has amassed many years of experience in providing Litigation advice and advocacy services to the public and private sectors.

Housing services

Advice on Houses in Multiple Occupation (HMO's)

- Licensing issues
- Advice and representation in the Magistrates Court for allegations of breach of HMO licence
- Advice and representation in the Magistrates Court for unlicensed HMO's
- Rent repayment orders in the Residential Property Tribunal

Residential Property Tribunal/ Property Land and Housing Chamber

- Fair Rents
- Assured Tenancy market rents
- Rent repayment orders re HMO's
- Park Homes
- Housing Health and Safety Rating System (HSSRS)
- Improvement notices, Prohibition orders

Leasehold Valuation Tribunal

- Service charges – advice and representation
- Leasehold enfranchisement
- Right to Manage

Housing Associations

WGL advise and assist, **promptly and cost effectively** on the following matters. We can:

- provide one-off advice on specific issues,
- advise and represent on cases from start to finish
- Represent you at court at short notice on emergency matters
- Help you to control your **costs and meet budgets** by agreeing fixed fees where appropriate
- We have particular expertise and experience in dealing with those with mental health problems and can advise practically on the housing problems associated with tenants with **Mental Health** problems.
- Advise on the implications of the Equality Act and disability discrimination issues in housing.

- Advise on the impact of Human Rights considerations
- Advice on the impact and changes introduced by the Localism Act 2011.

Our areas of expertise include;

■ Anti-social behaviour

- Anti-social Behaviour injunctions (ASBI's)
- Anti-social behaviour orders (ASBO's)
- Acceptable Behaviour Contracts (ABC's)
- Demoted Tenancies
- Possession based on anti-social behaviour

■ Housing and Mental Health

- Advice on local authority obligations under the NHS and Community Care Act 1990
- The implications of section 117 of the Mental Health Act 1983
- Proportionality and human rights where the tenant has a mental health problem
- Advice on the compulsory powers to detain under the Mental Health Act 1983
- Tenants who lack or have fluctuating capacity.

■ Possession

- Procedures, advice and tactics prior to service of the Notice Seeking Possession
- Notices seeking possession
- Possession proceedings from start to finish, advice, representation and enforcement
- Dealing with defended possession claims
- Joint tenants
- Proportionality and dealing with Human Rights defences
- Assured tenancies

- Assured short hold tenancies/AST's used as 'Starter Tenancies'

■ Housing management

- Access Injunctions to enforce Gas inspection obligations.



Richard Payne – Profile

Title: Solicitor-Advocate

Email: richard.payne@wglawltd.co.uk

Department: Property/Mental Health

Qualifications: LL B (Hons), M Phil.

Practice Areas: Richard is a Solicitor-Advocate with extensive and broad litigation experience. Richard managed his own firm from 1995–2007 and has worked in Housing and Property litigation/Defence Regulatory and Mental Health advising landlords and tenants for many years. He has represented social landlords with a particular emphasis on anti-social behaviour law and providing practical advice, representation and solutions for a wide range of housing management problems. Richard is a former member of the Cardiff Criminal Duty Solicitor Scheme, and was a founder member of the Cardiff County Court duty possession scheme. He was appointed as a legal Chairman to the Residential Property Tribunal for Wales in 2007.



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