

Jonathon Rushton

Call: 1997

Jonathon is extremely dedicated to providing expert advice in a professional manner. His work is well thought out and prepared and he has delivered an excellent service each time we have instructed him.

Solicitor - London



Jonathon Rushton is a specialist Chancery barrister and member of Business & Property Group at No5 Barristers' Chambers.

Called to the Bar in 1997 and for over twenty years his practice has been firmly within the specialist spheres of property law, commercial and residential landlord and tenant law.

When dealing with both contentious and non-contentious matters Jonathon brings with him his reputation for very practical and accessible advice and a no-nonsense approach to problem solving.

Expertise

Business & Property

Jonathon's areas of expertise include:

- adverse possession
- assignment and alienation
- boundaries and boundary disputes
- break clauses and vacant possession
- business tenancies
- dilapidations
- easements and covenants
- enfranchisement
- estoppel
- forfeiture
- landlord and tenant
- land registration
- licenses

Birmingham

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- misrepresentation
- notices to quit
- nuisance and harassment
- party walls
- partnerships
- possession claims
- professional negligence
- option agreements
- overage agreements
- real property generally
- rectification
- residential tenancies
- rights to light
- rights of way
- surrender
- trespass
- wills and trusts

Jonathon lectures and writes on property matters within chambers and externally in partnership with solicitors firms and other professionals.

Jonathon is also a CEDR qualified mediator.

Memberships

- Property Bar Association
- Commercial Bar Association
- Inner Temple

Notable Cases

Clarke v Get Training Limited
2010

Contract: The Court of Appeal held that the Respondent Company was not entitled to recover funds under a loan agreement on account of their misrepresentation, failure of consideration and lawful termination of the loan agreement.

SWI Limited v P & I Data Services Limited
2007

Construction/Contract: The Court of Appeal rejected the Appellant's arguments seeking to introduce into a fixed price contract a unit rate of payment where the contract did not make provision for such payment in circumstances where the Respondent had been requested to perform less than they had quoted for.

West v The London Borough of Newham
2007

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Social Housing/Right to Buy: The Court of Appeal held that there was nothing in the Housing Act 1985 to the effect that the valuation of a district valuer was conclusive as to the extent of the tenancy as the function of the district valuer was solely to determine the value of the property.

Feld v. The London Borough of Barnet
2004

Social Housing/Homelessness: The Court of Appeal held that there was no apparent bias where a s.202 review of an earlier original homelessness decision had been carried out by the same reviewing officer who had carried out a previous, but unconnected, review; nor was there any apparent bias – or breach of the Review Procedure Regulations – where the reviewing officer had sought the views of her superior officer on the related issue of allocations.

Publications

- Business Start-up

Work Undertaken

- Boundaries
- Easements
- Equity and Trusts
- Harassment
- Landlord and Tenant, commercial and residential
- Land Registration
- Property and Commercial Litigation
- Restrictive Covenants
- Rights of way

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