



## Practice

Beatrice Prevatt is noted for her work on technically difficult issues of disrepair, antisocial behaviour cases and matters involving vulnerable clients with mental health issues. She is praised for her "ability to establish a rapport with clients," and is seen as being "a delight to work with" and someone who is "very good at explaining complex ideas to clients." Sources also note her ability as an advocate and her flair for cross-examination. **Chambers and Partners 2012**

She is praised for being 'personable and thorough' **Chambers and Partners 2011**

Her "background in voluntary services is a boon as it gives her an edge in being able to explain complex legal issues to people less familiar with the intricacies of social housing law" **Chambers and Partners 2010**.

She is credited with "an admirable ability to simplify and explain complex issues of law." She enjoys the full support of the market, and is "extremely experienced and knowledgeable" **Chambers & Partners 2009**.

Beatrice "possesses a deep legal knowledge which helps her to formulate watertight arguments off the cuff." She is best known for her housing disrepair work and peers insist that she is "always a pleasure to deal with." **Chambers & Partners 2008**

Beatrice practises in all areas of housing including homelessness (County Court appeals and judicial review); Children Act and Community care accommodation duties, accommodation issues for asylum seekers, security of tenure, illegal eviction and harassment, statutory nuisance prosecutions and disrepair. Beatrice is regularly instructed by the Official Solicitor to act on behalf of protected parties.

Beatrice is also a trained mediator. Further details can be found on the Garden Court Chambers Mediation website

She is a member of the Bar Civil Legal Aid Subcommittee.

## Publications

Beatrice has contributed to various housing law publications including Landlord and Tenant Review and Current Law. She currently writes the annual Repairs Round Up for Legal Action and has co authored the 4th edition of the Legal Action handbook Repairs: Tenant's Rights which was published in early 2010.

## Training

Beatrice has provided training for the Independent housing ombudsman and the Housing Law Practitioner Association both at its meetings and at its annual Conferences. She also provides the disrepair training for Legal Action.

## Notable Cases

**Brown v Richmond upon Thames LBC [2011] Wandsworth CC.** Successful application for costs on the papers after Richmond agreed to withdraw its review

### Year of Call

1985

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### Education

BA (Oxon)

### Practice Areas:

Beatrice Prevatt is a member of the following Practice Areas:

- Community Care
- Court of Protection
- Housing
- Mediation
- Property Law
- Public & Administrative Law

### Garden Court Chambers

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decision of no priority need shortly after the homelessness appeal was issued but refused to pay costs.

**Bernard v Meisuria [2010] Central London CC.** A landlord was held liable for a rat infestation emanating from defective drains after a 2 day hearing with contested expert evidence. Damages of £20,000 awarded for the 4 year infestation.

**R (Choudhury) v London Borough of Brent [2010] CO/5135/2010.** Permission to apply for judicial review granted to challenge the Council's decision that the applicant's refusal of an offer of temporary accommodation and the discharge of the duty under Part VII entitled the Council to block the applicants outstanding bid for a property under the allocations policy. It was argued that the Council had acted contrary to its own allocation policy and that the applicant had a legitimate expectation that she would be made an offer in accordance with her priority at the time her bid was made. The case subsequently settled on the basis of the Council agreeing to make the applicant a direct offer of the next available property in the block she had bid for.

**London Borough of Southwark v Aseme [2010] Case number 2010/0159.** A possession claim brought on the basis that the Defendant was a non secure tenant was defended on the basis that tenancy granted was in fact secure as it had been granted in the mistaken belief that Defendant's homelessness appeal had not yet been dismissed and was not therefore granted pursuant to a homelessness function in Part VII of the Housing Act 1996 and exempted from security. A possession order was made in the County court but the Court of appeal subsequently granted leave to appeal. The case was subsequently settled on the basis of the grant of an alternative secure tenancy to the applicant (as the block where she was living was to be demolished)

**Merlin Housing association v Kaur [2010] Bristol County Court A** complicated succession claim which raised issues of tolerated trespass and stock transfers as the Defendant sought to succeed to his aunt's 'assured' tenancy but the housing association claimed that she had no tenancy as she had been in breach of a suspended possession order in respect of her previous secure tenancy at the date of the stock transfer. The case settled shortly before trial on the basis of the grant of an introductory tenancy to the defendant

**Mendes v Southwark LBC [2009] CA TLR 24.3.2009** (a successful appeal against an order made on the papers that there should be no order for costs in relation to a judicial review claim where interim relief had been granted but which had not proceeded to the permission stage).

**Brighton and Hove City Council v Knight [2009]** Brighton County Court (the dismissal of a possession claim in a demoted tenancy case where the Council sought a possession order despite its failure to comply with the statutory provisions as to notification of the review process by the specified date. The Council's argument that there was still a discretion to make a possession order was rejected).

**London & Quadrant v Parnham [2008]** Horsham County Court (an outright possession order made on the basis of rent arrears, including ground 8, was set aside as the tenant was a patient but no litigation friend had been appointed. The possession proceedings were then defended and a counterclaim brought on the



basis of unlawful discrimination and breach of statutory duty under the Disability Discrimination Act which resulted in a payment of £3500 in respect of the counterclaim which cleared the arrears and resulted in a payment of the balance to the tenant).

**Lambeth LBC v Assing [2007]** Legal Action June 2007 (a successful defence to a possession action and a claim for a demotion order where the tenant had assaulted a concierge. The District Judge's decision to make no order on the claim and award the tenant the costs of the action was upheld on appeal to the Circuit Judge and the Court of Appeal refused permission for a 2nd appeal).

**Bristol City Council v Grimmer [2003]** EWCA Civ 1582 (refusal of permission to appeal an outright possession order for anti social behavior)

**Smart v Sheffield CC & Wilson v Central Sunderland Housing Company [2002]** EWCA Civ 4, [2002] HLR 17 (human rights defences in possession actions against non-secure tenants). more info

**R (McLellan) v Bracknell Forest DC & Reigate & Banstead BC v Benfield & Forrest [2001]** EWCA Civ 1510, [2002] QB 1129 (human rights defences in possession actions against introductory tenants). more info

**R v Southwark LBC ex p Vantansever [2001]** EWHC Admin 546 (a successful challenge to Southwark's allocations policy's failure to allow for composite needs)

**R v Newham LBC ex p Begum [1999]** 32 HLR 808 (a successful challenge to a failure to provide suitable accommodation which decided that the duties under the Housing Act 1996 cannot be deferred)

## Background

Beatrice worked at the Southwark Law Centre for eight years (1987/1995), specialising in housing and immigration cases. Whilst there she set up the Lambeth County Court duty rota scheme for possession cases and negotiated the terms of the Southwark Council tenancy agreement. She was also a director of the National Housing Law Service.

## Societies

Housing Law Practitioners Association  
Legal Action Group

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