



## Jonathan Seitler QC

Call: 1985

QC: 2003

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### Clerks' Details

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### Qualifications and Appointments

- PPE, Pembroke College Oxford
- Diploma in Law with Distinction

*“Thoroughly intelligent, good at debating difficult points of law and inventive.”*

Chambers & Partners, 2018

*“He is good at coming up with innovative solutions.”*

Chambers & Partners, 2018

### Memberships

- Property Bar Association
- Professional Negligence Bar Association
- Standing Conference of Mediators

### Publications

- Claims against Valuers and Solicitors (1996)
- Commercial Property Litigation (looseleaf) (2000)
- Lenders Claims (2006)
- Leases: Covenants and Consent (2009)

### Practice Overview

In its 2014 edition, Chambers & Partners advised *“if there is a property-related [or] professional negligence dispute, make sure you instruct [Jonathan] first”*. This is because Jonathan currently stands top of the pile in terms of QCs for heavy and important property litigation and professional negligence work. Jonathan is listed in the **Who's Who Legal: UK Bar 2015 for Real Estate**.

Chambers & Partners 2018 recently described him as a highly esteemed silk with a particular focus on complex and high-value professional negligence matters. *“A very good advocate who has the ear of the court”* and who is *“he is very quick, provides creative solutions and is very user-friendly.”*

Jonathan has attained this status with a simple approach: “it’s the hard yards which yield the benefits”. His enormous success and enduring popularity has been achieved by immensely hard work, deep attention to detail, speed and decisiveness.

Jonathan’s speciality is to combine an open, accessible and attractive manner with clients with a ruthless and sometimes brutal destruction of opponents. “Litigation”, he will tell you, “is war by civilised means” and he has certainly adapted the fighting litigation skills which he learned in the Chambers of George Carman QC to become, at Wilberforce Chambers, one of the silks in property litigation and property-related professional negligence, that opponents fear most.

Jonathan is presently involved in many of the leading cases in those fields and is widely respected and admired for bringing to every matter, irrespective of how complex, clarity, commitment and care.

Jonathan is strongly of the view that technical excellence in legal matters can be found quite easily: what makes the difference in terms of a successful lawyer are abilities on top of those – the ability to communicate clearly and effectively with clients and in particular to reflect their commercial objectives; the ability to think strategically about how to counter the move that the enemy is going to make next (even if it hasn’t yet thought of it itself); and, ultimately, the ability to persuade the court to do something that it wouldn’t otherwise do.

Recent successes include *Peel Land v TS Sheerness*, in which Jonathan persuaded the Court of Appeal to re-write the standard textbooks in relation to the law on tenant’s fixtures; *PGF v OMFS*, in which he persuaded the Court of Appeal to define the circumstances in which it is safe to ignore an invitation to mediate, to give his client a costs-victory; and *Clutterbuck, Paton v Al-Amoudi*, (the so-called ‘Vamp in the Veil’ case) in which he persuaded the court to find for his client even though her evidence was found to be “unsatisfactory”.



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## Property

Jonathan is involved in the most high-profile property litigation cases. In 2014 he has continued to act for a Saudi Princess at the centre of allegations of property fraud, an Eastern-European oligarch purchasing landmark properties in London, a celebrity chef who says he is not the signatory of a lease guarantee of a well-known restaurant premises and a foreign Head of State in dispute with one of London's great landed estates.

Jonathan is highly recommended in the legal directories: *Chambers and Partners* says he is an '**impressive courtroom advocate**', with '**extreme cleverness and creativity**'. Jonathan was named as Chambers & Partners Real Estate Silk of the Year in 2007 and (unprecedentedly) for a second time in 2010.

In 2014, he was prominent in *Chambers & Partners* Top 100 Barristers (across all fields) and described as "**absolutely superb**" and "**a master tactician**". Jonathan is also the author of several books: '**Claims against solicitors and valuers**', '**Commercial Dispute Resolution**' and the bestselling '**Leases: Covenants and consents**'.

### Reported cases over the last couple of years include:

- [Francis v Philips & ors \[2014\]](#)
- *Shebelle Enterprises Ltd v Hampstead Garden Suburb Trust Ltd* [2014] 2 P. & C.R. 6 CA (Breach of lease arising from basement extension of neighbouring property, estate management schemes, interim injunctions; trustees' powers and duties).
- *Fulham Broadway Trustees No.1 Ltd v Telefonica UK Ltd* [2014] EWHC 1048. Appeal of arbitrator's rent review award.
- *Peel Land and Property (Ports No.3) Ltd v TS Sheerness Steel Ltd* [2014] 2 P. & C.R. DG5 CA (definition of Tenant's Fixtures).
- *Century Projects Ltd v Almacantar (Centre Point) Ltd* [2014] EWHC 394 (Ch) (Injunction, tenant's rights).
- *Topland Portfolio No.1 Ltd v Smiths News Trading Ltd* [2014] 1 P. & C.R. 17 (release of lease guarantor).
- *PGF II SA v OMFS Co 1 Ltd* [2014] 1 W.L.R. 1386 (Costs in dilapidations case following upon ignoring an invitation to mediate).
- *Cussens v Realreed Ltd* [2014] 1 W.L.R. 275 (Breach of covenant and forfeiture on basis of immoral use).
- *Morshead Mansions Ltd v Mactra Properties Ltd* [2013] EWHC 224 (Ch) (Service charge accounts).
- *Phillips v Francis* [2013] 1 W.L.R. 2343 (Service charge computation).
- *E.ON UK Plc v Gilesports Ltd* [2013] 1 P. & C.R. 4 (Consent to assignment, licences and underleases).
- *Unique Pub Properties Ltd v Broad Green Tavern Ltd* [2012] 2 P. & C.R. 17 (implied terms in leases).
- *Scottish Widows Fund and Life Assurance Society v BGC International* (formerly Cantor Fitzgerald International) 2012 142 Con. L.R. 27 CA (Mistakes in, and rectification of, leases).
- *Re: North East Property Buyers Litigation* [2012] 1 W.L.R. 1521 CA (Contract terms, equitable interests arising in context of equity release schemes).
- *Quest Advisors Ltd v McFeely* [2012] 1 E.G. 54 CA (repudiation of leases);
- *K/S Victoria Street v House of Fraser (Stores Management) Ltd* [2012] 2 W.L.R. 470 (Assignment and Authorised guarantee agreements).
- *Nottinghamshire and City of Nottingham Fire Authority v Gladman Commercial Properties Ltd* [2011] 1 W.L.R. 3235 (Property agents' misrepresentation).
- *Standard Life Investments Property Holdings Ltd v W&J Linney Ltd* [2011] L. & T.R. 9 (break clauses).