

Year of Call: 2010
Practice Areas: Housing, Chancery, , Commercial
Email: clerks@cobden.co.uk



"He is intellectually able and a popular choice in this practice area."

"He is a star in the making."

"He is very practical and down to earth, as well as knowledgeable."

Chambers and Partners (2021)

"A tenacious advocate and intellectually able."

"He will not give up on any case and has a keen attention to detail."

Chambers and Partners (2020)

Profile

Background:

Prior to joining Chambers in 2012 Gary lectured Law to students at undergraduate level. He lectured Commercial Law and Corporate

Gary has since developed an extensive and busy court and paper practice with a particular emphasis on housing litigation with cases ranging from the County Court to a number of successful, un-led appearances in the Court of Appeal. In doing so, he is predominately instructed by landlords to deal with a wide range of housing matters including possession; trespass; succession; disrepair; anti-social behavior injunctions and committals. His successes in this area have caused for him to be recognised as "up and coming" by Chambers & Partners.

Alongside his housing practice, Gary has also maintained a busy Business and Property practice from which he receives regular instructions on general property litigation; TOLATA applications; personal and corporate insolvency; partnerships; contractual disputes; interference with goods; insurance law and agency.

Gary is known for his approachable manner and is more than happy to discuss cases informally prior to instruction.

Appointments

- Attorney General panel of Junior Counsel to the Crown (Panel C).

Scholarships / Awards:

- Lord Denning Scholarship (Lincoln's Inn)
- Bar Course Accreditation for highest overall score in Civil Litigation (Manchester Metropolitan University)
- Elizabeth James Scholarship for highest overall Law LLB score (University of Liverpool)
- Shelford Scholarship (Lincoln's Inn)
- Hardwick Entrance Award (Lincoln's Inn)

Areas of practice:

Chancery, Commercial and Housing

Seminars:

During his time with Chambers' Housing Department, Gary has provided, and continues to provide, a wide range of seminars and training to both solicitors and housing associations on a range of issues both in-house and externally including, among others, the Equality Act 2010; the Localism Act 2011; the Anti-Social Behaviour, Crime and Policing Act 2014 and the Homes (Fitness for Human Habitation) Act 2018

Interests:

Gary is a keen sportsman with a particular obsession with football – playing, spectating and even co-founding the "Cobden House Cup"; a quarterly match played between Chambers members and clerks. Away from sport Gary prides himself on his skills in the kitchen.

Testimonial Quotes

Talented junior receiving instructions on behalf of landlords and tenants in a range of social housing matters. Possession proceedings, homelessness cases and disrepair claims are among his areas of expertise.

Strengths: "He is intellectually able and a popular choice in this practice area." "He is a star in the making." "He is very practical and down to earth, as well as knowledgeable."

- Chambers and Partners - UK Bar 2021

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- Chambers and Partners - UK Bar 2020

"Gary's technical knowledge of landlord and tenant law is excellent and is combined with a very astute tactical approach to cases that

makes him an extremely good choice when acting either for landlords or tenants. He prepares thoroughly and advises carefully and gets results – often against the odds, not least through robust cross-examination. When I have instructed Gary, I have always felt that he is fully invested in the case and, needless to say, clients rate him highly. He is approachable and responsive and strongly recommended.” - Philip Walsh – (Partner) Clifford Johnston & Co Solicitors

“I have been instructing Gary, mainly on Housing matters but also on more general civil litigation, since he was called. I have always found his work to be impeccable and of the highest standard. He is extremely thorough and always goes above and beyond to assist. He is very approachable, open and straightforward to communicate with and works flexibly to the clients requirements. He always makes himself available to respond quickly in a crisis, providing urgent and robust advice which is invaluable. I would (and do) heartily recommend him to anyone” - Anthony Hesford - Anchor Housing Trust

“I have had the pleasure of instructing Gary across a wide range of commercial matters from County Court to Court of Appeal. His easy and affable manner is a boon in open Court. It is rare to find Counsel as good with paperwork as on their feet. Deadlines are always met and he acts with a professionalism that defies his relatively young age. A pleasure to instruct.” - Paul Lever - Coupe Bradbury

“The Housing Team at MSB Solicitors (formerly Knox Ellis Solicitors) have instructed Gary for many years. He is always personable, articulate and meticulous in his preparation. Gary is someone you want in your corner and offers pragmatic solutions to get the best possible outcomes and is a tenacious and gritty advocate when the case requires it. Quite simply, you know your case and you clients are in safe hands with Gary.”

- Louise Murphy (Head of Social Housing) – MSB Solicitors

“From start to finish Gary handles instructions proactively, creatively and with an excellent eye for detail. He is a robust advocate and exceptionally thorough in his cross-examination. It is rare to find Counsel with such confidence, passion and empathetic intelligence. His supportive and personable nature makes him a firm favourite amongst our client departments.”

- Ria Stevens (Solicitor - Advocate) – Torus62 Limited

“I have had the pleasure of working with Gary on a number of cases. He is accessible, approachable and extremely personable whilst maintaining a high standard of professionalism at all times. He is well versed in all areas of Housing Law and his performance as an advocate is outstanding, always achieving a fantastic result for my clients. His preparation of a case and knowledge of the same is always clear as is his attention to detail in his paperwork. He is quickly able to identify key issues and potential weakness and give very practical advice on any matters he is asked to advise on. He is everything you would want in your Counsel of choice and I would positively recommend Gary to anyone considering instructing him.”

- Victoria Slater (Senior Associate) – Knights plc

“Gary Lewis is a highly intelligent and tenacious litigator. He grasps issues quickly and provides advice in a clear and simple manner. Gary is approachable and an extremely safe pair of hands.”

- Alexandra Goldrein (Solicitor) - Irwin Mitchell LLP

Notable Cases

Housing

- City West Housing Trust -v- Lindsey Massey & Vincent Roberts -v- Manchester & District Housing Association [2016] EWCA Civ 704
Gary represented the successful tenants at all stages of the litigation (including both in the Court of Appeal and on paper in the Supreme Court) in cases which concerned the interpretation of the test for suspending possession orders as set out in *Sandwell v Hensley* [2007] EWCA Civ 1425. In doing so, Gary was the first advocate before Vos LJ to have persuaded him to grant permission in a renewed oral application where he had refused permission on the papers. Further, Gary was co-responsible for drafting the notice of objection and written submissions which were considered by the Supreme Court in dismissing the proposed appeal from the Court of Appeal. The judgment can be found via the following link: [city_west_-v-_massey_\[2016\]_ewca_civ_704.pdf](https://www.bailii.org/uk/ew/cas/civ/2016/704.html)

- Smith -v- Contour Homes (Unreported, Manchester County Court, 12 May 2016) - Gary represented the successful landlord-respondent in one of the first cases of its kind to consider and apply the Supreme Court guidance in *Ackerman-Livingstone -v- Aster Communities* [2015] UKSC 15 in a residential landlord and tenant context. The judgment can be found via the following link: [Smith_-v-_contour_homes_judgment.pdf](#);

- Zeeshan & Zeeshan v Mahmood (27th October 2017, Manchester County Court) -Gary represented the Claimants following an unlawful eviction and secured findings of dishonesty and a judgment in the sum of £36,250. The case note can be found via the following link: [\[https://nearlylegal.co.uk/2017/10/deposits-lies-unlawful-evictions/\]](https://nearlylegal.co.uk/2017/10/deposits-lies-unlawful-evictions/)

- Represented the Respondent in a 3-day public inquiry concerning the compulsory purchase of a property in Salford which gave rise to issues under the Equality Act 2010

- Represented the successful landlord in resisting allegations of unlawfulness to an urgent anti-social behaviour injunction granted during the COVID-19 pandemic and involving complex issues arising under emergency legislation under the Health Protection (Coronavirus Restrictions) (England) Regulations 2020.

- *Onward Homes -v- McGill (Unreported, St Helens County Court, 25 September 2020)* - almost immediately following the lifting of the stay on possession proceedings imposed as a result of the COVID-19 pandemic, Gary represented the landlord at trial and secured an outright possession order in a claim arising out of the serious criminality of a joint tenant at the centre of what is widely reported to be one of the country's biggest ever benefit fraud cases at nearly three quarters of a million pounds. The news article concerning the collateral criminal proceedings can be found via the following link: <https://www.bbc.co.uk/news/uk-england-merseyside-49151801>

Chancery

- Acted for claimant homeowners throughout long-running, multi-track boundary dispute proceedings. Gary secured favourable declaratory relief, damages and a costs order following a settlement meeting less than a month before a 4-day trial listing

- Represented the estate in its successful opposition to an application for permission to issue a claim out of time under Section 4 of the Inheritance (Provision for Family and Dependents) Act 1975 in circumstances where there had been a 4-month delay

- Appeared as a junior in a 10-day trial in the High Court concerning allegations of fraud in the execution of a trust deed

- Represented Defendants in complex multi-track proceedings in which the Claimant sought to set aside the transfer of a property on the grounds of mistake, non-est factum and duress. Despite being listed for 4 days, Gary was successful in having the claim dismissed following half a day cross-examining the Claimant

- Represented the Defendant in a complex 4-day mortgage possession case concerning the application of the "unfair relationship" provisions and evidential issues between the parties spanning over 20 years

- Represented the Applicant in obtaining a worldwide freezing injunction in the High Court arising out allegations of undue influence and the transfer of significant assets in Pakistan

Commercial

- *Christiana Properties Limited -v- Annauth [2017] EWCA Civ 1070*– Gary represented the successful appellant on appeal in the Court of Appeal in a case which concerned the construction of a compromise agreement relating to the repayment of rent arrears arising out of a commercial lease between the appellant-landlord, the respondent-tenant and a third party guarantor. The judgment can be found via the following link: [christiana_properties_limited_-v-_annauth_\[2017\]_ewca_civ_1070.pdf](#)

- Acted for a commercial estate agent in a multi-day trial before HHJ Beech in a case concerning the enforceability of a sole selling rights agreement entered into in respect of a multimillion pound business sale which included, amongst other things, allegations of mistake and misrepresentation. Gary secured a six figure settlement for his client after the third day of trial despite both liability and quantum initially being disputed in full

- Gary was led by Stephen Cogley QC in the High Court before His Honour Judge Hodge QC and was successful in securing the dismissal of a winding-up petition in the sum of over £400,000 arising out of a complex dispute concerning allegations of unlawful eviction and breach of fiduciary duty by an alleged co-venturer.

- Represented the Applicant-liquidator in obtaining a freezing injunction and a search and seizure order arising out of litigation in the High Court concerning the alleged transfer of intellectual property rights

- Represented the Applicant-liquidator in director misfeasance proceedings against three directors in the High Court. Gary was successful in opposing an application for relief from sanction by one of the Respondent-directors in circumstances where a disclosure deadline had been missed by 1 day

- Represented the Respondent-director in director disqualification proceedings listed for 5-days in the High Court

- Represented the successful commercial landlord in multi-day, six-figure rent recovery proceedings defended in reliance upon rent suspension provisions within the lease alongside arguments of estoppel and surrender by operation of law

Qualifications

Bar Course: Very Competent

Degree: University of Liverpool Law
LLB (Hons) (First Class)