

John Byers BSc FRICS ACI Arb

Chartered Building Surveyor
Director
RICS Accredited Expert Witness
RICS Registered Valuer

LBB CHARTERED SURVEYORS
41-44 Temple Chambers
3-7 Temple Avenue
London EC4Y 0HP
t 020 7822 8850
w www.lbb.org.uk
e jhb@lbb.org.uk

Areas of Expertise

Expert Witness

Acting as expert or single joint expert both in Court and First-Tier Tribunal in a diverse mixture of cases.

- Expert reports, single joint expert reports and Scott Schedules in proceedings and in accordance with court directions or instructions.
- Appearance in court giving expert oral evidence in chief and under cross examination.
- Assistance and advice to clients in litigation and mediation

Often acting for leaseholders, but also various landlords include One Housing Group, Family Mosaic Housing Association, Catalyst Housing Group and many commercial landlords and tenants.

Cases include:

Major Works / Service Charges

Spink & Others v Westbourne Ltd LON/00AJ/LSC/2006/0055
Westbourne Ltd v Spink & Joshua LRX/14/2007
Rolyn Investments v Residents of Wesley Court LON/00BK/LSC/2008/0313
Rolyn Investments Limited v The Lessees of Wesley Court LON/00BK/LDC/2010/0027
B Grover v The Trustees of Ryves Fashion Ltd Retirement Benefits Scheme CHI/24/UC/LSC/2010/0083
Mr & Mrs Nogueira & Others v The Lord Mayor & Citizens of the City of Westminster [2012] LON/00BK/LSC/2012/0095
Mr & Mrs Nogueira & Others v The Lord Mayor & Citizens of the City of Westminster [2014] UKUT LRX/126/2013
Mr & S Greig and Others v Sandringham Land Ltd [2014] LON/ooBG/LSC2014/0109 & 0360
L Miller & Others v Tedworth North Management Ltd & Tedworth Square North Ltd [2015] LON/ooAW/LSC/2014/0615
Strathmore Court (Guernsey) Ltd v Findlay Ventures Corporation and Others LON/00BK/LSC/2015/0360
H Wilson and Various Leaseholders v Tower Hamlets Homes Ltd LON/00BG/2018/0122
M Gould & Others v R Gibbs & Others [2021] E10CL761
Stephanie Yeung & Others v 27 Lennox Garden Freehold Ltd. [2022] LON/00AW/LSC/2021/0324

Breach of Repair Covenants / Licences to Alter

31/32 Ennismore Gardens Freehold Ltd v Eiesha Bharti Pasricha [2013]
Ivor Court Freehold Ltd v Various Leaseholders at Ivor Court LON/00BK/LSC/2017/0296 LON/00BK/LSC/2017/0091

Separation of Blocks for Enfranchisement

Wheelwright House (46-130) RTM Co Ltd v Sinclair Gardens Investments (Kensington) Ltd CAM/00KB/LRM/2018/0006

Appointment of a Manager

Various Leaseholders v Block 6 Ashley Gardens Ltd [2021] LON/00BK/LAM/2020/0010
Various Leaseholders v Winstonworth Ltd [2021] LON/00AF/LSC/2020/

Housing Disrepair

Numerous Housing Disrepair cases – most not going to trial

Property Dispute Advice

The regular provision of advice to clients in a wide variety of property related disputes:

- Service charge disputes for residential and commercial properties
- Building condition and repair claims between landlords, and leaseholders or tenants
- Dilapidation appraisal and advice
- Major works to residential properties and Section 20 Notices and consultation
- Licences to Alter and disputes arising from alterations and breaches of lease
- Property repair and condition and building works generally
- Section 11 Landlord and Tenant Act 1985
- Advising clients in mediation.

Clients include managing agents, landlords, leaseholders, tenants and property owners throughout the UK.

Dilapidations

Acting for both Landlords and Tenants in a variety of Dilapidation matters including:

- Preparation of schedules of dilapidations for landlords
- Dilapidation appraisals for tenants
- Negotiating schedules of dilapidations
- Dilapidation claims in proceedings and related expert evidence in court

Cases include:

Ravensgate Estates Ltd v Horizon Housing Group Ltd [2007].
Dani v Sultan & Ali [2014]

Clients include Majestic Wine Warehouse, RL Polk, One Housing Group and many commercial Landlords and Tenants.

Surveys and Pre- Acquisition Advice

- Pre-acquisition building surveys (structural surveys)
- Dilapidation appraisals
- Due diligence
- Pre-acquisition (or pre- lease) advice on lease terms
- Portfolio surveys and condition appraisals

Survey work includes many nationwide stock condition surveys and fire insurance valuations (RCAs) for a national residential managing agent; Goodman Restaurant in London's West End, and the historic Encombe Estate in Dorset. Various work for prestigious developers, City & County on period buildings in Hertfordshire and Essex. Large commercial surveys for a London 'Mid- Town' Landlord.

Surveys of modern buildings include work in the Pan-Peninsular Development in London's Docklands and Arthaus London E8. Surveys of traditional period flats and houses throughout London and the South East.

Other Work

Broad experience in most aspects of Building Surveying work including:

- Advice for commercial landlords in connection with lease terms, building repair and lease obligations particularly dilapidations.
- The design and specification and of building repair, refurbishment, conversion and extension projects for all types of properties.
- The preparation, negotiation and administration of building contracts including monitoring the progress and quality of works, valuing building works, agreeing and certifying final account payments and advice in respect of defect liability issues.
- Acting as Party Wall Surveyor for both Building and Adjoining Owners in respect of matters arising from the Party Wall etc. Act 1996.
- Writing and speaking on building and property management issues.

Clients include many solicitors, managing agents and their Clients including commercial owners and occupiers Dainippon Screen, KCi Medical, Majestic Wine Warehouse and RL Polk.

Qualifications

2016	Winner Expert Witness of the Year News on the Block Magazine ERMA RICS Accredited Expert Witness
2015	Fellowship by Achievement of Royal Institution of Chartered Surveyors FRICS
2012	Short Course Valuation and Investment College of Estate Management
2010	Associate of Chartered Institute of Arbitrators
1987	Elected Member of Royal Institution of Chartered Surveyors MRICS RICS Membership No. 0076268
1981 – 1985	BSc Building Surveying University of the South Bank Faculty of the Built Environment
1979 – 1981	Technical Diploma in Building Construction Hertfordshire College of Building

Employment

Since 1994	Director of LBB Chartered Surveyors with specific responsibility for the Building Surveying team and all company Building Surveying activities.
1991 -1994	Director of Langley Slater plc carrying out wide variety of building surveying activities.
1988 – 1991	Building Surveyor at Langley Slater plc carrying out wide variety of building surveying activities
1986 – 1988	Assistant Building Surveyor at Portmans assisting in variety of building surveying duties and projects; mainly comprising service charge works and building pathology to residential long leasehold blocks of flats within Prime Central London SW7, SW3 and W2.
1985 – 1986	Assistant Building Surveyor at London Borough of Enfield assisting with various specialist capital projects in respect of the Local Authority housing stock. Projects included refurbishment of houses and flats; reinforced concrete frame and cladding repairs and roof renewal works to high-rise mixed-use blocks and system-built homes.