

## Christopher Greenwood

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*A talented, level-headed and hard-working barrister who gives plain, direct advice*

- Chambers & Partners

**Christopher Greenwood specialises in professional liability, insurance, mortgage and banking litigation, and construction and engineering disputes with a professional liability angle. He is also actively developing his practice in sports work.**

**"He stood out in a complex accountants' tax mitigation scheme matter. He's got a real understanding of the underlying tax matters, and produces very thorough written advice. He's excellent in conference and is a real team player"** – *Chambers & Partners, 2021.*

**"A very tenacious opponent"** – *Chambers & Partners, 2021.*

**"Extremely detailed in his advice, both in writing and in conference. His particulars of claim are comprehensive and miss no point. He is extremely empathetic with clients and able to build rapport. His service to solicitors is excellent"** – *Legal 500, 2021.*

**"A talented, level-headed and hard-working barrister" who "gives plain, direct advice"** – *Chambers & Partners, 2020.*

**"A really skilled strategist and a valuable team player"** – *Legal 500, 2020.*

**"He is very hardworking and clever, with a great legal mind"** - *Legal 500, 2019.*

Chris is ranked as a leading professional negligence junior by both Chambers & Partners and Legal 500, and is frequently instructed in significant High Court claims. Those instructions have most recently included, in 2020, acting as sole counsel on behalf of financial advisers in *Ingenious Litigation* [2020] EWHC 235 (Ch), concerning film schemes, and (led by Neil Hext QC) the 'test case' of *Jago v Mortgage4YouLtd* [2019] EWHC 533 (QB), concerning mortgage brokers' duties in respect of interest-only mortgages.

Chris has also been involved in several high profile professional liability disputes in recent years, including (led by Justin Fenwick QC and Graham Chapman QC) *Gemini (Eclipse 2006-3) Plc v CBRE Limited and Warwick Street (KS) LLP*, a lender claim for damages in excess of £230m named in The Lawyer's 'Top 20 Cases of 2016', and (led by Graham Chapman QC) the series of claims beginning with *Halsall v Champion Consulting Ltd & Ors* [2017] PNLR 32, now a leading case on accountants' liability in respect of tax avoidance schemes.

Since, 2019, Chris has also been instructed in various unreported High Court claims. These include claims against tax advisers and financial advisers concerning remuneration trusts, film schemes and the CWMFX forex fund, numerous claims against insurance



brokers, solicitors and construction professionals, and (led by Jamie Smith QC) a high value claim brought by the landlord of a large agricultural property against a leading national firm of surveyors and property managers. He also appeared as sole counsel in the successful defence of a £10m claim against an insolvency professional.

In mortgage and banking litigation, Chris frequently acts as sole counsel for lenders in commercial and higher value residential matters, including claims concerning alleged interest rate hedging products, and was formerly part of the team acting for RBS in *Property Alliance Group v RBS*. And in construction, Chris is currently instructed on two large claims concerning commercial property, including acting on behalf of the insurers of a British multinational construction company which recently entered into liquidation, concerning the windows of a large skyscraper in Manchester, and acting on behalf of main contractors in a multi-million pound dispute concerning defective design and engineering of a retractable seating system.

Immediately before joining 4 New Square, Chris spent 6 months at the Court of Appeal, working as a Judicial Assistant to Lord Justice Mummery and Lord Justice Rix.

### Privacy Policy

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## Areas of Expertise

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### Real Property

Chris is regularly instructed to act on behalf of major banks and other lenders in all aspects of mortgage law, and mortgage litigation, and he has written and delivered training seminars to both lending institutions and solicitors' firms on the topic of subrogation. This work dovetails with Chris' substantial practice acting on behalf of lenders in banking disputes, details of which may be found under the 'Banking & Financial Services' tab.

Chris also advises and acts on landlord and tenant and other real property matters, whether raised in response to mortgage possession claims or in respect of 'standalone' property disputes, such as the interpretation of commercial leases or transactional disputes concerning deposits or alleged misrepresentations.

In addition, Chris frequently advises and acts on real property issues within the context of professional liability claims brought by lenders or purchasers, mainly against solicitors, but also against barristers and estate agents. Further details of this work may be found under the appropriate 'Professional Liability' tab.

### Mortgage

Chris is regularly instructed on behalf of mortgagees and receivers to deal with a variety of mortgage-related claims. He is frequently instructed on possession and money judgment claims, including in cases where arrears have been cleared or capitalised, previous proceedings have failed, or the lender relies on subrogation. As a result, he has substantial experience in dealing with most if not all defences commonly advanced by borrowers, including **allegations of deceit, undue influence, economic duress, misrepresentation, and *non est factum***, and issues arising under the **Unfair Contract Terms Act 1977 and consumer credit legislation**. He also has experience of possession issues arising out of disclaimed property.

In addition to possession claims, Chris deals with a variety of claims brought by borrowers, including allegations that lenders have sold property at an undervalue, claims against lenders alleged to have charged or incurred improper or unnecessary fees and charges, including claims where lenders have made payments to freeholders.

Chris' sound grounding real property law means he is also comfortable dealing with the priority issues that frequently arise in mortgage litigation, including in relation to 'all monies' charges, rights of consolidation and tacking, and competing charges. He



has substantial experience of applications for alteration or rectification of the Land Register.

## Landlord & Tenant

Chris has advised and acted in numerous commercial and residential landlord and tenant claims, representing landlords, LPA receivers, estate agents, property managers, leaseholders and tenants.

On the commercial side, as of 2020, Chris is currently instructed as sole counsel in a High Court claim for a declaration, brought by the tenant under a commercial lease, concerning the interpretation of a clause requiring the insured to procure insurance in the joint names of the landlord and tenant, and the destination of any insurance proceeds in the event of a claim. He has also previously advised in relation to the renewal of business leases under the Landlord and Tenant Act 1954, on covenants against letting in long leases, and on the interpretation of repair covenants in a bespoke agricultural lease.

On the residential side, Chris has substantial previous experience dealing with assured shorthold tenancies, claims for possession, issues concerning deposits, and claims by landlords and tenants in respect of repair covenants or dilapidations. He has also appeared on behalf of a long leaseholder in a service charge dispute in the Upper Tribunal (Lands Chamber).

## Transactional Disputes

Chris is currently instructed as sole counsel in respect of a claim concerning the return of a pre-contractual deposit paid by a proposed purchaser of a property, with a 2-day trial listed for March 2020. He has also advised and acted on several misrepresentation claims brought by purchasers and tenants, in respect of both commercial and residential property.

## Qualifications & Memberships

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### Memberships

London Common Law & Commercial Bar Association

Professional Negligence Bar Association

### Education & Scholarships

LLB (Warwick) (First Class)

BVC Major Scholarship (Inner Temple)