



## Dan Dyson

Call: 2007

Very approachable and pragmatic in his advice as well as reliable and highly competent  
Legal 500

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Dan Dyson offers expertise across Chancery and Commercial work.

Recent examples of his work include:

- multi day trial relating to recovery of deferred consideration under a business asset sale and purchase agreement including defending counterclaims alleging breaches of warranty and frustration of the S & P agreement.
- An 8 day trial in the Leasehold Valuation Tribunal (Wales) on behalf of a developer landlord and management company in respect of a group action by a cohort of leaseholders. Acting for a local authority in recovery of funds expended in connection with their role under Strategic National Guidance for the decontamination of buildings, infrastructure and open environment exposed to chemical, biological, radiological substances or nuclear materials.
- Advisory work in connection with enforceability of covenants on behalf of landlord. Advising directors of a management company of their duties as directors in the context of the lease, potential insolvency, and related issues with the management company's Articles of Association.
- Boundary and rights of way issues relating to agricultural and residential land.
- Pursuing contested bankruptcy petitions on behalf of lenders enforcing guarantees, as well as opposing petitions on behalf of debtors. Appearing before the ICC in respect of validity of appointment of liquidators in an CVA.
- Property related aspects of insolvency.
- On going misfeasance claim against director.
- Three-day trial defending possession proceedings in the context of non-commercial lending arrangements with a focus on unfair relationships s.140A Consumer Credit Act 1974.
- Two-day construction dispute trial.
- Representing local authority at appeal in the High Court from Valuation Tribunal (Wales).

Dan Dyson has experience in the Court of Appeal: In Thinc Group Limited v Kingdom [2013] EWCA Civ 1306, and in Channon v Ward [2017] EWCA Civ 13 (led by Neil Hext KC) on appeal from Channon & Co v Ward [2015] EWHC 4256 (QB).

## Expertise

### Insolvency Law

- Appear before the ICC in respect of validity of appointment of liquidators in a CVA.
- Property related aspects of insolvency.
- Various contested bankruptcy petition hearings/applications to set aside statutory demands.
- Misfeasance claims against directors, advisory role.
- Advising directors of a management company of their duties as directors in the context of the lease, potential insolvency, and related issues with the management company's Articles of Association. Insolvency with property considerations.

### Commercial Litigation

- Multi-day trial acting for Claimant in recovery of deferred consideration under a business asset sale and purchase agreement including defending counterclaims alleging breaches of warranty, whether breaches give rise to right to repudiate the agreement and frustration of agreement. Interconnected aspects of whether lease entered into or not giving rise to frustration of SPA.
- Three-day trial defending possession proceedings in the context of non-commercial lending arrangements with a focus on unfair relationships s.140A Consumer Credit Act 1974.

### Landlord & Tenant

- An 8 day trial in the Leasehold Valuation Tribunal (Wales) on behalf of a developer landlord and management company in respect of a group action by a cohort of leaseholders. Advisory work in response to a threatened appeal.
- Advisory work in connection with enforceability of covenants on behalf of landlord.
- Advising directors of a management company of their duties as directors in the context of the lease, potential insolvency, and related issues with the management company's Articles of Association.

### Real Property

- Acting for a local authority in recovery of funds from property owner/occupier expended in connection with their role under Strategic National Guidance for the decontamination of buildings, infrastructure and open environment exposed to chemical, biological, radiological substances or nuclear materials. Issues involving conversion of chattels, effect of disclaimer.
- Various boundary and/or rights of way issues relating to agricultural and residential land.

### Memberships

- Property Bar Association

- Agricultural Law Association