Falcon Chambers

Richard Miller

Called 2021



Practice Summary

Richard is a property specialist and practises in all areas of landlord and tenant law, real property, and related professional negligence. He has a busy practice and regularly appears in the County Court, First-Tier Tribunal, and High Court. Richard has also appeared on numerous occasions in the Court of Appeal, both led and unled, and was recently led in the Supreme Court in two Building Safety Act 2022 cases.

Richard has been ranked in the legal directories for property litigation since 2025, and in the same year won Junior Counsel of the Year (Under 10 Years' Call) at the Apartment Advisor Awards, formerly the ERMAs, for his work in long leasehold management and building safety. From 1 September 2026, he was appointed to the Attorney General's C Panel of Counsel.

Richard comes from a family of keen anglers and has a niche specialism in water law and riparian rights disputes.

His recent cases have involved:

- Long leasehold management, including complex service charge, right to manage, and Building Safety Act 2022 matters
- Commercial landlord and tenant disputes, including rent review, break clauses, and Landlord and Tenant Act 1954 renewals
- Possession claims, including residential, commercial, and trespass
- Mortgages and receivership
- Real property, easements, and restrictive covenants
- Boundary disputes, adverse possession, and nuisance
- Trusts of land and orders for sale
- Agriculture
- Commons and village greens

Education

- MA History, Christ's College, University of Cambridge – Double First Class

- MPhil Early Modern History, Christ's College, University of Cambridge – Distinction
- Graduate Diploma in Law, University of Law – Distinction

Professional

- Bar Professional Training Course, University of Law – Outstanding
- Buchanan Prize, Lincoln's Inn
- Lord Denning Scholarship, Lincoln's Inn
- Member of the Property Bar Association and the Chancery Bar Association
- Barrister of the Year – Junior Counsel, 2025 Apartment Adviser Awards, formerly the ERMAs
- Attorney General's Panel of Counsel (C Panel)

Notable Cases

- *Stratford Village Development Partnership v Triathlon Homes LLP* UKSC/2025/0156 – Supreme Court appeal on whether remediation contribution orders can apply to costs incurred before commencement. Richard acted for the Secretary of State, led by Sir James Eadie KC, Joanne Wicks KC, Michael Walsh KC, Jason Pobjoy KC, Camilla Chorfi, and Will Perry

- *Adriatic Land 5 Ltd v Long Leaseholders at Hippersley Point* UKSC/2025/0157 – Supreme Court appeal on the retrospectivity of Schedule 8 to the Building Safety Act 2022. Richard acted for the Secretary of State, led by Sir James Eadie KC, Joanne Wicks KC, Michael Walsh KC, Jason Pobjoy KC, Camilla Chorfi, and Will Perry
- *Budgens Stores Ltd v Three Rivers Property Investments Ltd* [2026] EWCC 60 – County Court appeal in which Richard successfully challenged the trial judge's interpretation of commercial service charge clauses requiring the service of a notice before works were carried out
- *Manaquel Co Ltd v Lambeth LBC* [2026] EWCA Civ 972 – Court of Appeal case on the proper date of assessment of improvement notices and whether the local authority should be accorded a margin of deference. Richard appeared, unled, for the Appellant

- *Kapadia v Church Commissioners for England* [2026] UKUT 220 (LC) – Upper Tribunal case on the meaning of the word "*surveyor*", the interpretation of service charge machinery, and whether a term should be implied requiring service charge apportionment to be recalculated following the construction of additional units. Richard acted for the Respondent, led by James Fieldsend
- *Ashrafi v Belmont Green Finance Ltd* [2025] EWHC 3247 (Ch) – High Court appeal against a mortgage possession order which Richard obtained at a CPR 55.10 hearing. The case is the first time a court of record considered the meaning of the word "*mortgagor*" in section 36 of the Administration of Justice Act 1970, and the judge agreed with Richard's submission that it did not extend to persons whose interest did not bind the bank because of the *Brocklesby* principle

- *CAP Property Developments IOW Limited v West Bay Holdings Limited* CHI/00MW/LSC/2024/0073 – Richard acted for the landlord and management company in a five-day trial concerning service charges at a premium holiday resort

- *Adriatic Land 5 Ltd v Long Leaseholders at Hippersley Point* [2025] EWCA Civ 856 – Court of Appeal decision concerning the retrospectivity of Schedule 8, paragraph 9 to the Building Safety Act 2022 and its compatibility with human rights. Acted for the Secretary of State, led by Sir James Eadie KC, Michael Walsh KC, Jason Pobjoy KC, Camilla Chorfi, and Will Perry

- *Triathlon Homes LLP v Stratford Village Development Partnership* [2025] EWCA Civ 846 – Court of Appeal case on the scope of remediation contribution orders under section 124 of the Building Safety Act 2022. Acted for the Secretary of State, led by Michael Walsh KC and Camilla Chorfi
- *Manaquel Co Ltd v Lambeth LBC* [2025] UKUT 97 (LC) – Upper Tribunal appeal on rule 13 costs in the context of improvement notices. Acted for the Appellant, led by Nicholas Isaac KC
- *Taylor v Spriggs & Jones* [2024] EWCA Civ 170 – Court of Appeal case concerning the extent of damages in tort where damage is caused to property with pre-existing defects. Acted for the Appellant, led by Nicholas Isaac KC
- *Cheung v Mackenzie* [2024] EWCA Civ 13 – Court of Appeal case on the construction of a conveyance which the High Court considered allowed the original vendor to modify or discharge restrictive covenants. Acted for the Respondent, led by Carl Fain
- *Manaquel Company Ltd v London Borough of Lambeth* LON/00AY/HIN/2021/0021 – First-Tier Tribunal appeal against an improvement notice on the basis that the contents were fundamentally flawed and inconsistent with Housing Health and Safety Rating System calculations. Acted for the Appellant, led by Nicholas Isaac KC
- *Healey v Fraine* [2023] EWCA Civ 549 – Court of Appeal decision on the meaning of adverse possession under the Land Registration Act 2002. Acted for the Respondent, led by Michael Walsh
- *Assethold Ltd v Adam* [2022] UKUT 282 (LC) – Upper Tribunal decision on reasonableness of service charges incurred pursuant to a flawed expert report. Acted for the Appellant, led by Mark Loveday

Publications

- Contributor to *Bona Vacantia and Escheat: Law and Practice*
- *Breach in haste, repent at leisure?* New Law Journal, Volume 175, Issue 8140
- Contributor to *Building Safety Act 2022 in Practice: A Guide for Property Lawyers*
- *The Concept of Association in the Building Safety Act 2022*: Falcon Chambers Building Safety Act series, 4 June 2025
- *Looking Forward, Looking Back: Service Charges and the Retrospective Effect of the Building Safety Act 2022*: Falcon Chambers Building Safety Act series, 30 September 2024
- *Risk and Harm: Remediation Orders Through the Lens of the Housing Health and Safety Rating System*: Falcon Chambers Building Safety Act series, 13 May 2024
- *Swept away: the limits of general language in long residential leases*: L. & T. Review 2024, 28(5), 191-195
- *One size does not fit all: standard section 27A directions reviewed*: L. & T. Review 2024, 28(1), 28-30
- *Failure to serve claim notice on intermediate landlord with no management functions does not defeat right to manage*: L. & T. Review 2023, 27(4), 157-158
- *Anatomy of a First-tier Tribunal decision: concessions, reasons, and "knowledge and experience":* L. & T. Review 2023, 27(4), 159-161
- *Managing expectations: Upper Tribunal refuses to discharge misleading manager*: Practical Law Property Litigation Column, 15 May 2023
- *Unlawful Eviction: Third Party Liability*: L. & T. Review 2022, 26(6), 250-25

Published Comments

"His work was absolutely first-class, punching well above his weight. Richard is a real star in the making, going

above and beyond to support his clients." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"He is really great. We were super impressed by him and consider him a real star of the future. His ability to get on top of detail is fantastic." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Richard is very responsive; his advice is good, and his communication is perfectly pitched. He explains legal matters and concepts in detail but in a way that clients can understand it." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Richard is a highly capable barrister. He is clearly very motivated by his work. He shows meticulous attention to detail, which makes him a very reliable choice. He is also an extremely erudite barrister, which makes his advocacy that much more compelling. His drafting is exceptional. Clients are invariably very impressed with him in court and in conference." *Legal 500 UK Bar Guide 2027 - Rising Star*

"A cool, calm and collected advocate." *Legal 500 UK Bar Guide 2026 - Rising Star*

"He is wise beyond his years. His advocacy is well presented, structured and he is able to command the attention of all in the room." *Legal 500 UK Bar Guide 2025 - Rising Star*