Falcon Chambers

Tricia Hemans

Called 2013



Practice Summary

Tricia Hemans specialises in all areas of property law, including real property and both commercial and residential landlord and tenant law. Tricia has particular expertise in mortgage receivership disputes and is a co-author of *Tozer, Crampin and Hemans on Mortgage Receivership: Law & Practice*, 2nd Edn.

Tricia is also experienced in complex co-ownership litigation and dispute resolution and is regularly instructed in relation to TLATA matters and property-related family law disputes. Tricia has appeared in the Family Court and has been led in the family division of the High Court. She has extensive experience as a mediation advocate.

Tricia acts in Telecoms Code cases and has appeared at all levels of the Court and Tribunal on behalf of Operators. She appeared, led by Oliver Radley-Gardner KC, in the first Supreme Court case to consider the provisions of the Telecoms Code and has recently presented oral arguments on behalf of an Operator in the Court of Appeal.

Tricia is also regularly instructed in Building Safety Act matters and has appeared before the FTT in relation to applications for RO and RCOs.

Tricia's recent cases have involved:

Mortgage Law

- Acting in complex and high-value mortgage possession claims and receivership disputes on behalf of receivers, lenders and borrowers.
- Tricia recently acted for receivers in a case involving an extensive mixed-use property containing multiple residential and commercial occupants.

Land Registration

- Appearing multiple times in the High Court as junior counsel led by Stephanie Tozer KC, in relation to a high-value and complex land registration dispute concerning the mistaken discharge of over 5,000 legal charges: *Barclays Bank UK Plc v Terry* [2023] EWHC 3113 (Ch); [2023] EWHC 2726 (Ch).
- Advising on and applying for the removal of Class C(i) Land Charges pursuant to the High Court's inherent jurisdiction and s.1(6) of the Land Charges Act 1972.
- *Yuen v Wong* (2019) – a case involving a disputed transfer of property and the question of whether it is possible to witness a deed remotely.

- *Rashid v Nasrullah* [2018] EWCA Civ 2685, an important Court of Appeal case on adverse possession (led by Stephanie Tozer KC).

Telecoms Code

- Making oral submissions successfully in the Court of Appeal in *On Tower UK Ltd v British Telecommunications Plc* [2025] EWCA Civ 844, led by Stephanie Tozer KC.
- Appearing in the Upper Tribunal, led by Stephanie Tozer KC: *On Tower UK Ltd v British Telecommunications Plc* [2024] UKUT 51 (LC).
- Appearing in the Supreme Court, led by Oliver Radley-Gardner KC: *Cornerstone Telecommunications Infrastructure Limited v (1) Ashloch Limited & (2) Ap Wireless II (UK) Limited* [2022] UKSC 18.

Co-ownership Disputes

- Acting in a High Court co-ownership dispute involving multiple high-value properties and a complex claim for accounts and inquiries.
- Acting in a complex possession claim, involving the intersection of TLATA and the Family Court's power to grant non-molestation orders and occupation orders restricting the right to possession.
- Being led in the Family Division of the High Court, in a dispute involving a divorce settlement with a property law dimension.

Building Safety Act

- Acting in a dispute concerning an application for a remediation order under the Building Safety Act 2022.
- Acting on an application for a remediation contribution order under the Building Safety Act 2022 in light of recent case law.

Education

BPTC: The University of Law - formerly the College of Law (Very Competent)

LLB: Law, Queen Mary University of London (1st Class Hons)

Memberships and Awards

Tricia is a member of:

- The Chancery Bar Association
- The Property Bar Association
- The London Common Law and Commercial Bar Association
- The Bar Council's Flexible Working Group
- The Bar Council 2019-2020 - Equality, Diversity & Social Mobility Committee's Retention Panel
- Called 2013: Middle Temple Inn

Awards:

- Nominated as Technology, Data and Crypto Junior of the Year for the Legal 500 UK Bar Awards 2025

- Recognised as a 'Rising star' in the Legal 500 2021 UK Guide
- Nicholas Pumfrey Memorial Award: Middle Temple
- Access to the Bar Award: Middle Temple
- Principal's Prize for outstanding academic achievement: Queen Mary University of London

Selected Cases

- **On Tower UK Ltd v British Telecommunications Plc** [2025] EWCA Civ 844: Tricia appeared led in the Court of Appeal and successfully made oral submissions on behalf of BT. At [83] Lord Justice Holgate remarked that "*Ms. Tricia Hemans on behalf of BT demonstrated clearly that ground 2 cannot succeed.*" The case concerned the interaction between contractual break rights and termination rights pursuant to the Code.
- **STL Global Group Holdings Ltd v Mount Cook Land Ltd:** [2025] 3 WLUK 541: Tricia acted for SGGHL in relation to a claim worth approximately 15 million pounds. She appeared for the successful Claimant in the High Court, led by Rajesh Pillai KC. The court refused to stay or strike out a claim that the transfer of a property from the first defendant to the second defendant constituted a transaction defrauding creditors under the Insolvency Act 1986 s.423.
- **Barclays Bank UK Plc v Terry** [2023] EWHC 3113 (Ch); [2023] EWHC 2726 (Ch): Tricia appeared multiple times in the High Court as junior counsel led by Stephanie Tozer KC, in relation to a high-value and complex land registration dispute concerning the mistaken discharge of over 5,000 legal charges.
- **Cornerstone Telecommunications Infrastructure Limited v (1) Ashloch Limited & (2) Ap Wireless II (UK) Limited** [2022] UKSC 18: Tricia appeared in the Supreme Court, led by Oliver Radley-Gardner, in the first Supreme Court case to consider the provisions of the Telecoms Code.
- **Hope Community Church (Wymondham) v Phelan and others (as Trustees of The Phelan Group Limited Retirement Benefits Scheme)** [2020] EWHC 1240 (Ch): Tricia Hemans appeared led for the Defendant as the Court considered when the right to enfranchise can be exercised under the little encountered, Places of Worship (Enfranchisement) Act 1920. While there are some Upper Tribunal cases dealing with compensation, this is only the second reported case to address the question of when the right can be exercised. The High Court shed much-needed light on what is required under s.1 of the 1920 Act.
- **Rashid v Nasrullah [2018]** EWCA Civ 2685: Tricia appeared in the Court of Appeal led by Stephanie Tozer in this important case on adverse possession. The court considered whether a person who had, by fraud, become the registered proprietor of land could successfully claim adverse possession of that land in the face of a challenge by the defrauded original proprietor.

Mediation Advocacy
Tricia has been involved in numerous mediations as a mediation advocate. This has included legal issues concerning:

- a substantial disrepair claim relating to a residential flat
- the correct location of a boundary between two residential properties
- negligence and nuisance resulting from an ingress of water on land which affected a neighbouring property
- a claim for specific performance and damages including aggravated damages, resulting from an alleged failure by a landlord to carry out repairs.

Publications & Seminars

Child's Play? - NLJ 4 April 2025 with Daniel Black

Co-author of Tozer, Crampin and Hemans on Mortgage Receivership: Law & Practice, 2nd Edn

A practitioners' guide to the intermediate track - NLJ 1 December 2023 with Daniel Black

Lockdown: A new lease of life - NLJ 11 September 2020 with Cecily Crampin

Where are we now? Mortgage Receivership & Possession - NLJ 7 February 2020 with Cecily Crampin

Contracts: The formal, informal, implied and naturally understood. March 2019, seminar (with Thomas Rothwell)

On the Receiving end - NLJ 22nd March 2019 with Cecily Crampin

Contributor to Mortgage Receivership: Law & Practice, 1st Edn, by Stephanie Tozer and Cecily Crampin

Contributor to Westlaw Insight – Severability of Joint Tenancies and Holiday Lets

Enfranchisement Claims and Statutory Interpretation: Purpose and Prejudice? L. & T. Review 2017, 21(3), 95 – 102 (with Cecily Crampin)

To Build or Not To Build? Restrictive Covenants. April 2017 seminar (with Jamie Sutherland)

Breaking Bad. February 2017, Solicitors Journal (with Greville Healey)

"The Right to Manage – the basics". February 2015 seminar (with Philip Sissons)

No room at the inn. L. & T. Review 2015, 19(2), 47-51 (with Oliver Radley-Gardner)

Article 8 defences to possession claims. I.H.L. 2014/15, 226 (Dec/Jan), 34-36 (with Toby Boncey).

Published Comments

"Tricia is excellent; user-friendly, very good on the detail and offers practical advice that clients can easily digest." *Chambers and Partners UK Bar Guide 2027 (Telecommunications)*

"Tricia is fantastic working with clients and is extremely good in conference as well as in court." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Tricia is meticulous in preparation and very responsive." *Legal 500 UK Bar Guide 2027 (Telecoms Regulation)*

"Tricia is calm and considered and deals well with matters that are emotive for clients. Her advice is always clear and concise. She is tactically strong and an impressive advocate." *Legal 500 UK Bar Guide 2027 (Property Litigation)*

"Tricia delivered excellent advocacy in the Court of Appeal under significant time constraints." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Tricia Hemans is very user-friendly. She is a good team player, approachable, clear and keeps us informed." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Tricia presents the facts and her opinion to clients in an accessible way that makes it clear that she understands all the issues and the way forward." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Tricia Hemans is a very capable barrister." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Tricia is very knowledgeable and her advice is always clear and direct." *Legal 500 UK Bar Guide 2026 (Property Litigation)*

"Tricia has an exemplary ability to act solely under significant time pressures." *Legal 500 UK Bar Guide 2026 (Telecoms)*

"Tricia Hemans is an impressive junior who is said to be approachable as well as possessing outstanding technical skill. She operates a broad practice, featuring commercial and residential landlord and tenant work, transactional disputes and other issues such as easements and telecoms." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tricia is very good to work with. She is able to handle high-pressure work with short timeframes in a calm manner." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tricia provides excellent and practical advice. She is also very responsive and often goes the extra mile for clients." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tricia is an excellent advocate. She is thorough, tenacious, and a very sensible and sympathetic adviser." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tricia is an extremely good barrister. She is user-friendly, a sensible adviser and an incisive advocate." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tricia Hemans is recognised for her expertise in the property side of telecommunications law. She is adept at advising on the provisions of the new telecommunications code, often acting for telecommunications operators. She has appeared at all levels of court including the Supreme Court." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Tricia is incredibly knowledgeable about the telecoms code and user-friendly." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Tricia has great technical expertise and can swiftly get to the root of a matter." *Legal 500 UK Bar Guide 2025*

"Tricia is excellent, user-friendly and sensible with superb, carefully considered advocacy."

"Tricia was easily contactable, and provided helpful guidance over the telephone. Excellent technical analysis."

"She gets a handle on complex matters quickly and provides very clear and incisive opinions." *Chambers and Partners UK Bar Guide 2024*

'Tricia's advice is always very thorough, and she is very good with clients. Her advocacy is extremely effective. She leads even the most sceptical judges through the case in a practical way.' *Legal 500 UK Bar Guide 2024*

"Tricia is cool, calm and collected, a chess player who knows everything and is so well prepared." *Chambers and Partners UK Guide 2023*
"Tricia Hemans is a tenacious advocate who is also extremely user-friendly." *Chambers and Partners UK Guide*

2023

‘Tricia formulates detailed and thorough opinions and conveys them in a concise and succinct manner. ’ *Legal 500 UK Bar Guide 2023*

Tricia Hemans is an impressive junior who is said to be approachable as well as possessing outstanding technical skill. She operates a broad practice, featuring commercial and residential landlord and tenant work, transactional disputes and other issues such as easements. *Chambers and Partners UK Guide 2022 (Real Estate Litigation)*

Impressive junior who is said to be approachable as well as possessing outstanding technical skill. She operates a broad practice, featuring commercial and residential landlord and tenant work, transactional disputes and other issues such as easements. Strengths: "We've been impressed with the speed, depth and quality of the advice we have received." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

"An up and coming name for mortgage, enfranchisement and property-related family disputes." *Legal 500 UK Bar Guide 2021*

Impressive junior who is said to be approachable as well as possessing outstanding technical skill. She operates a broad practice, featuring commercial and residential landlord and tenant work, transactional disputes and other issues such as easements. Strengths: "A rising star." *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"Impressive junior who is said to be approachable as well as possessing outstanding technical skill. She operates a broad practice, featuring commercial and residential landlord and tenant work, transactional disputes and other issues such as easements. Strengths: 'In very complicated matters she can see the wood for the trees and is a very effective advocate.' 'Provides clear advice and is approachable and personable'. Recent work: Appeared in the preliminary hearing of an arbitration concerning the rights of landowners under a deed granting an easement to lay a gas pipeline." *Chambers UK Guide 2019 (Real Estate Litigation)*