



Pro Bono barristers and solicitors working as a team

Who is making the request?	Stronger Together, at X Solicitors Firm– 5 years qualified. Contact details: stronger.together@XFirm.co.uk .
Headline	Helping former partner obtain her fair share of the property bought as a family home
Area of law	Chancery/property
Name of lay client, opposing party and any related parties	Client: X Opposing party: Y
Stage of case	Pre-action
Nature and extent of assistance required	Advising in conference, finalising pleadings and representation at trial
Timeframe in which assistance is required	As soon as possible but as proceedings have not yet begun, there is some flexibility
Seniority required	5 year + barrister
Location	London
Any hearing date	Two day trial listed for December 2016
Brief summary of the case	Ms X bought a house with Mr Y in 2005 as a family home, which was registered in Mr Y's sole name at his request. The acquisition was largely funded by a mortgage but both parties put in some capital. Shortly after the house was purchased (in 2006), Mr Y left the home and Ms X for Ms Z, with whom he then moved in. Since 2006, Ms X has paid all the mortgage instalments and all the outgoings for the property, including making substantial repairs and improvements. Ms X wishes to claim an interest in the property and to sell it, with as much of the proceeds as possible (after repayment of the mortgage) going to her. Mr X is refusing to agree to this and says he is entitled to 100% of the house. Relevant causes of action include common intention constructive trust and/or proprietary estoppel. The application for sale of the house would be made under the Trusts of Land and Appointment of Trustees Act 1996.
Reasons why it is suitable for pro bono assistance	The case is a deserving one because Ms X is out of work and urgently requires funds for living purposes. Without pro bono assistance, Mr Y will not agree to a sale of the property, let alone one on fair and just terms which reflect the fact that for the last 10 years Ms X has shouldered all the financial and other burdens of the property whilst Mr Y has made no contribution whatsoever.