



Pro Bono barristers and solicitors working as a team

<b>Who is making the request?</b>	Stronger Together, at X Solicitors Firm– 5 years qualified. Contact details: <a href="mailto:stronger.together@XFirm.co.uk">stronger.together@XFirm.co.uk</a> .
<b>Headline</b>	Helping former partner obtain her fair share of the property bought as a family home
<b>Area of law</b>	Chancery/property
<b>Name of lay client, opposing party and any related parties</b>	Client: X Opposing party: Y
<b>Stage of case</b>	Pre-action
<b>Nature and extent of assistance required</b>	Advising in conference, finalising pleadings and representation at trial
<b>Timeframe in which assistance is required</b>	As soon as possible but as proceedings have not yet begun, there is some flexibility
<b>Seniority required</b>	5 year + barrister
<b>Location</b>	London
<b>Any hearing date</b>	Two day trial listed for December 2016
<b>Brief summary of the case</b>	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.
<b>Reasons why it is suitable for pro bono assistance</b>	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.