



- Independent Landlord & Tenant Specialists.
- Commercial & Retail Property.
- CUBS Accredited Expert Witness.

For More Information Contact
John Williams, MRICS ACI Arb

john.williams@mapleleaf-pc.co.uk

Tel: 01242 861155
Mbl: 07506 727727

Visit www.mapleleaf-pc.co.uk

SINGLE JOINT EXPERT – THE PRO’S AND THE PRO’S

Surveyors and valuers frequently make the transition from Negotiator on behalf of the client to Expert Witness in proceedings, but this is not always conducive to a pre-trial settlement or to a Tribunal placing weight on their evidence. Negotiating stances often remain entrenched and substantial costs can be incurred as no balanced or impartial view is introduced into the equation. In a recent informal survey of RICS Arbitrators, the vast majority felt that in such circumstances many “Expert Witnesses” had simply extended their negotiating stance into proceedings, a position which led to greatly reduced weight being attributed to their evidence and which could entirely undermine a claim through the courts.

A Single Joint Expert Report, at the appropriate point in proceedings, can introduce a reasoned voice into pre-trial conduct and can re-open the path to a negotiated settlement or provide a background against which a mediated settlement can be reached. Whilst influential, such a report is not binding on either party and, if requested specifically as part of a pre-mediation process, may not even be admissible in Court. However, a Part 35 compliant report is always produced, unless specifically instructed otherwise, and can save substantial cost and confusion at trial.

Maple Leaf has extensive experience of such situations preparing reports on rental values and modernised lease terms, for Landlord & Tenant Act 1954 renewals, and Section 18 Valuations for dilapidation claims under Landlord & Tenant Act 1927. All our Expert Witnesses have at least 15-years experience in their specialism meaning each case is handled solely by a knowledgeable and experienced surveyor. The key to our approach is to combine in-depth knowledge and experience with balanced impartiality. Whilst crucial for all Expert Witness Instructions, this has proved particularly beneficial to clients seeking Single Joint Expert Reports.

Whilst some may be reticent about appointing a Joint Expert Witness in place of their surveyor, our experience has shown that such a report will frequently assist the parties in reaching an amicable settlement, saving substantial cost and preserving the Landlord/Tenant relationship.

John Williams is a Member of the RICS, an Associate of the CI Arb and a CUBS Accredited Expert Witness.