

Court of Appeal decides on London & Quadrant v Weaver

Background

This case was brought by Mrs Susan Weaver who was an assured tenant of L&QHT. The Trust sought possession under Ground 8, Schedule 2 of the Housing Act 1988 (at least 8 weeks' rent arrears). Mrs Weaver contested the claim on the grounds that the Trust failed to pursue all reasonable alternatives before using a mandatory ground for possession. It was also contested that the decision breached Mrs Weaver's rights under Human Rights law. Mrs Weaver's barrister put it to the court that L&QHT is for relevant purposes a public authority and therefore amenable to Judicial Review.

Summary

This matter was heard in the Administrative Court and on the 24th June 2008, it was held that in the particular circumstances of the case London & Quadrant Housing Trust were a Public Authority and subject to Judicial Review. The case went to appeal and the judgment was published today (18th June 2009)

Appeal Court

The outcome of this case will have significant repercussions for RSLs as regards Judicial Review and claims under the Human Rights Act, however we will publish a full bulletin on our website in the next few days.

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