



## A Legal Insight

Your Weekly Newsletter from  
Chhokar & Co

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### Editor's note

Welcome to this week's newsletter which includes articles of the legal happenings that have been taking place. This is a way for you to stay informed of current news and legislation changes.

All the topics that are covered in this newsletter are areas of law that we deal with as a firm so if you have any questions or queries arising from any of these articles, Chhokar & Co is here to help.

You can contact our Head Office in the United Kingdom by e-mail, via SKYPE and by phone. You can also contact us through our website Enquiry Form: [www.chhokar.com](http://www.chhokar.com).

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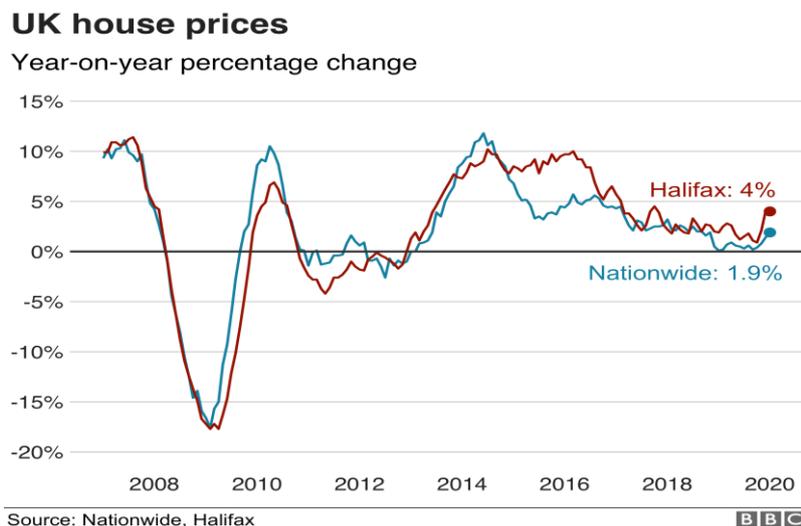
# RESIDENTIAL PROPERTY

## How the Budget could potentially impact the property market

There is a strong possibility that Stamp Duty Land Tax (SDLT) changes will be one of the topics that will be mentioned during the Budget that is taking place on the 11<sup>th</sup> of March. With the Prime Minister in agreement that there needs to be changes made towards the Stamp Duty.

Stamp duty is certainly something that has a lot of earning potential for the government, with £12 billion being made from stamp duty alone in 2018/19. Martijn Van Der Heijden has stated “The Prime Minister agrees that reform of stamp duty is needed, it’s something that he has highlighted during his leadership campaign... The relief for first-time buyers has become outdated and failed to keep up with the market.” Right now, first-time buyers located in London are excused from paying stamp duty on houses up to £450,000 but the average house price in London was valued at £457,471.

The current stamp duty fails to take into consideration the rate of house price growth and whether or not that matches with the current relief of tax, as of right now the difference between the average house price in London and the value at which you’re excused from paying stamp duty does not correlate.



<https://www.bbc.co.uk/news/business-51293687>

The stamp duty tax may be a defining reason preventing people from moving to a new house, the likely proposed change that would be introduced in the Budget is decreasing the amount having to be paid from 5% to 4% of the value of the property.

With Boris Johnson ruling out the possibility of introducing a mansion tax, which seeks to ensure that any residential property exceeding a certain value (for example £2 million) will be taxed, this concept was introduced by the Liberal Democrats in 2009 as a way to reduce stamp duty.

A change that is very likely to be mentioned in the budget is the additional 3% surcharge on properties which are bought by non-UK tax residents. This was mentioned in the Conservative party during the election they wanted to combat inflating property prices which they put down to foreign property purchases. The statistics show that 1 in 8 homes that are bought in London are done so by non-UK residents (13%). To put the change into perspective a home worth £1.5 million, a UK resident buying that house would pay £93,750 whereas a non-UK resident would have to pay £183,750.

*At Chhokar & Co we aim to deal with a wide variety of client matters including corporate services in which we offer property management and rent collection, if you would like more information or have an issue you wish to discuss with us please contact us at +44 (0) 208 574 2488 or law@chhokar.com*

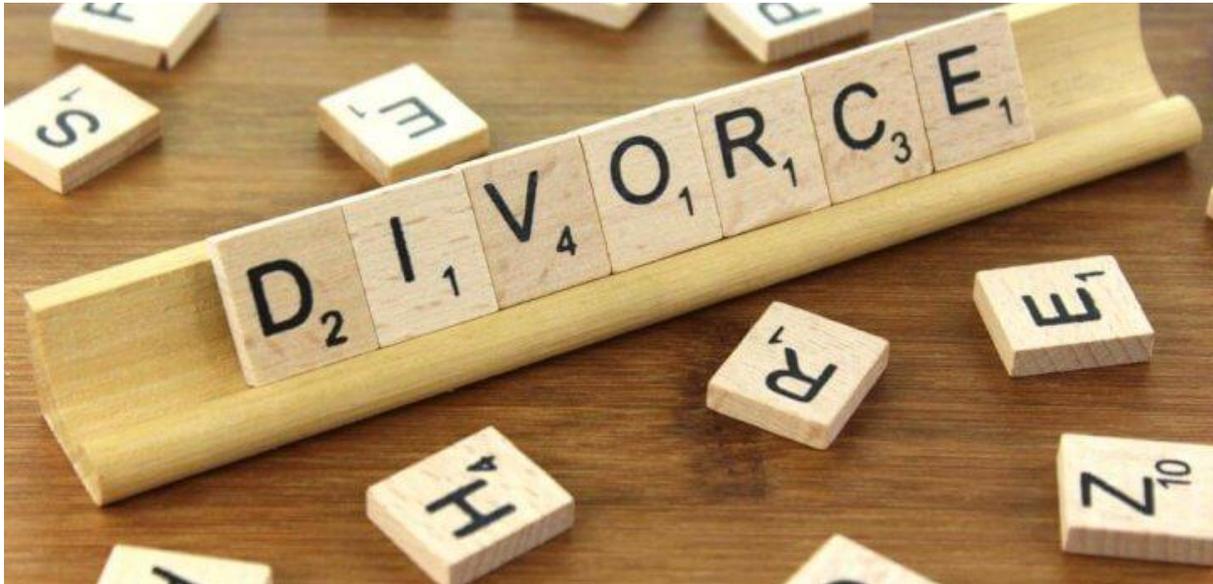
## **FAMILY**

### **Woman awarded £400,000 for sacrificing career for family.**

A Cambridge graduate who aspired to be a Solicitor has been awarded £400,000 in compensation after she claims that she had sacrificed her career in order to look after her children. Her husband, who is also a Solicitor was the breadwinner of the family has accumulated assets which total to over £10million, all of which the wife will be entitled to half of.

The couple had met whilst working at the same firm, he was working as an associate and she was working as a trainee with Mr Justice Moor stating that the chances of her becoming partner of that firm was high. Part of the judgement that the Judge had given permission to be published stated that the husband had made it clear that if they were to get married then he did not want them to work at the same firm, to which the wife had agreed with. Due to this, the judge had found “significant relationship-generated disadvantage”.

Jane Keir from Kingsley Napley LLP, the firm who had represented the woman have said “As a talented lawyer, our client sacrificed a potentially lucrative career for her family and to care for the children” Mr Justice Moor had stated “The woman viewed herself as the parent who would take primary responsibility for the children, the husband’s career took precedence. I accept that it is unusual to find significant relationship-generated disadvantage that may lead to a claim for compensation, but I am clear that this is one such case”.



<https://raydensolicitors.co.uk/blog/how-to-divorce-if-married-in-another-country/>

With Jane Keir adding “the judgement affirms that in truly exceptional circumstances the principle of compensation still exists in family law, and rightly so, in theory this would apply to whichever partner steps back from their career putting family ahead of ambition and earning power”. However, due to the controversial nature of this decision the judge made it clear in his judgement that this decision should not open the floodgates to other claims regarding relationship-generated disadvantage and that this outcome was awarded as it was an exceptional circumstance.

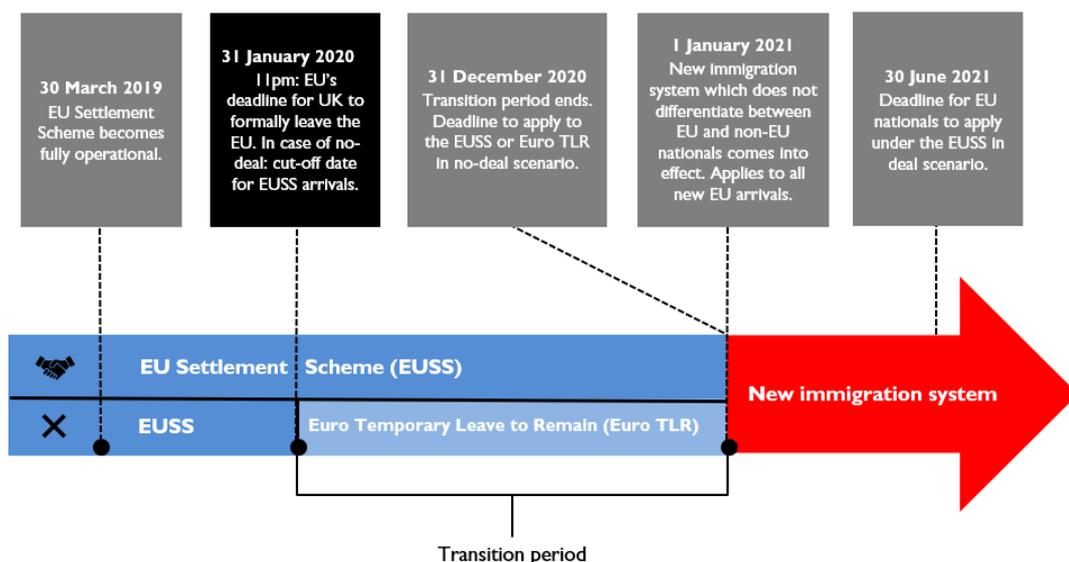
*Here at Chhokar & Co, we pride ourselves in our family law work, if you have any enquiries regarding the article or any other family law issue, contact us contact us for a consultation at +44 (0) 208 574 2488 or law@chhokar.com.*

# IMMIGRATION

## How expensive is UK's immigration system?

The UK'S immigration fees have been described as being “sky-high” compared to other countries. Boris Johnson has introduced a new immigration policy in order to attract the “brightest and the best” but the new policy could deter the workers that the government are looking for by the high fees associated with the policy.

The occupations that EU members mostly take up in the UK are nurses, engineers and tech experts which could all be impacted as some of them may not be able to afford the fees if the proposed scheme becomes legislative.



<https://www.lauradevine.com/brexit/general-election-results-what-will-the-conservative-win-mean-for-uk-immigration/>

The fees are proposed to be either £1220 per person or £900 for someone entering into the country to work in a field that is classified in the short occupation list. It's worked out that a family of five could potentially pay up to £21,299 before they would even be allowed entrance into the country. Additionally, there is a £400 health surcharge that must be paid, it's worked out that for the same family to immigrate to Germany it would cost £756 and in Canada, £10,000.

Comparing other countries to the individual fee, under the new scheme an individual coming into the country will need to pay £3220 for five years stay whereas Canada charges £220 for an individual visa which lasts up to three years and with the most

affordable country being Luxembourg which charges £42 for a visa and an additional £80 for a residents permit. France has the highest charge after the UK with a charge of £2,075.

An Immigration Lawyer, Lisa Roberts has said “The fees are incredibly high and could be a deterrent, especially for those who are looking at a range of countries such as Germany, the Netherlands, Luxembourg to relocate to, where the values and the lifestyle are similar”. However, a spokesperson for the Home Office has stated that the price of the fees are justifiable as the fees would help ensure the country’s border control was well resourced and additionally stated “in fairness to UK taxpayers, it is only right that those who directly benefit from our immigration system contribute to its funding”.

*Immigration is a serious and complicated matter, here at Chhokar & Co we have years of experience dealing with immigration matters. Feel free to contact us for a consultation at +44 (0) 208 574 2488 or law@chhokar.com.*

# WILLS, TRUST & PROBATE

## How an alleged 'deathbed gift' turned into the defendant facing potential Jail time

Peter Ivory is facing time in Jail due to giving away his deceased sibling's £400,000 estate to the homeless rather than to the deceased other two brothers and nephew as intestacy rules would assume as he had died intestate. Mr Ivory claimed that on his deathbed his brother had informed him to not let any of the other siblings have access to his "hard-earned money".

His estate which included his collection of rare memorabilia, £400,000 which will result from the proceeds of sale from his property in Surrey and his pet dog. Mr Ivory had taken it upon himself to withdraw £150,000 from the estate and hand the money out to both the homeless people he passed on the street and also to random strangers throughout the streets of Cambridge. He had also donated the memorabilia to a fan club and decided to take the dog in himself.

The actions of Peter Ivory were not welcomed by the other two surviving siblings and the deceased's nephew, yet Peter was still adamant that he had done what his brother had told him to do with the estate. Peter had written a letter to his brother, Alan which had outlined what their deceased brother had wanted him to do with the money. The letter includes Peter telling Alan that their brother did not want Alan's wife having access to his money and that "instead I have given it to hard-working poor and homeless people, so there is no money left and you must do what you think is morally right like I have done by respecting his wishes".

Simon Douglas, the representation for the surviving brothers had said that there is simply no evidence that provides those were Mick's dying wishes and added "nor is there any evidence that Peter has complied with his wishes other than his assertion in his witness statement that he has given the money away", following on from this, Judge Teverson has ordered Peter to provide to the court a full account of the money that he had supposedly disbursed.

*Here at Chhokar & Co we are experienced in wills, trust and probate. If you have any enquires regarding your Will arrange for a consultation by calling +44 (0) 208 574 2488 or emailing [law@chhokar.com](mailto:law@chhokar.com).*

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