



## Marcus Kelly

Call: 2024 |

Email: [marcus.kelly@selbornechambers.co.uk](mailto:marcus.kelly@selbornechambers.co.uk)

Phone: +44 (0)20 7420 9500

Marcus became a tenant in October 2025 after completing 12 months of pupillage at Selborne. As a pupil, he completed supervisor-assessed work and independent work (in his practising 2<sup>nd</sup> Six) relating to commercial and property disputes, in addition to bankruptcy, insolvency, probate, and trusts.

Marcus accepts instructions across all of Chambers' practice areas, with a particular interest in commercial and property disputes.

Before coming to the Bar, Marcus read History at Cambridge University and graduated with a double first in summer 2022. After passing the law conversion course with distinction in summer 2023, he completed his bar studies as an Exhibitor of Inner Temple and attained a distinction in summer 2024. He began pupillage at Selborne in October 2024.

## Property

---

Marcus has been instructed in the following matters:

- Acting (led by Gary Blaker KC) in a High Court breach of contract/ restitutionary claim concerning an alleged profit-share agreement between an independent property consultant and a large property developer in relation to the promotion and development

of land for commercial and residential purposes.

- Drafting applications (Form N244; witness statement; draft defence) to set aside default judgment entered in relation to service and administration charge disputes.
- Drafting inter-partes correspondence in relief against forfeiture proceedings relating to a breach of covenant against subletting and sharing occupation.
- Drafting pre-action correspondence in a claim for the return of a tenancy deposit and rent following an alleged rodent infestation at residential property.
- Acting for the landlord before the First-Tier Tribunal in an application for a determination of breach of covenant under the Commonhold and Leasehold Reform Act 2002.
- Acting for various landlords in possession proceedings brought under section 21 and schedule 2 (grounds 1, 8, 10 and 11) of the Housing Act 1988 and on grounds of trespass.
- Acting for the tenant in possession proceedings, particularly in applications to suspend the execution of a warrant of eviction from residential property.

Marcus' further experience (in relation to assessed work as a pupil) includes the following:

Trespass:

- Drafting particulars of claim in trespass proceedings relating to a boundary dispute between neighbouring residents. The case concerned an alleged trespass on the part of the defendants over an extended period, in remedy to which the claimant sought mandatory injunctive relief and damages.
- Drafting a defence for a managing agent in trespass proceedings relating to a boundary dispute in an apartment block. The case concerned an alleged trespass by the claimant's neighbour and the respective and intersecting alleged liabilities of the various defendants (head-leaseholder and managing agent) to remedy the same.

Trusts of Land and Appointment of Trustees Act 1996:

- Drafting particulars of claim in a sibling co-ownership dispute. The case concerned a property once shared by three generations of the same family but since vacated by the defendant. The claimant sought, by way of a constructive trust, a declaration of the extent of the parties' beneficial interests (and permission to purchase the defendant's interest) and an order for accounts and enquiries.
- Drafting a defence and counterclaim in a post-marital dispute. The claimant sought a sum equivalent to 50% of the equity of the former matrimonial property (of which she had remained the joint registered proprietor), whilst the defendant alleged that he had purchased this beneficial interest as part of the parties' informal divorce settlement and counterclaimed, by way of a constructive trust, for a declaration of the defendant's sole ownership of the property and for an order of transfer.

# Commercial

---

Marcus has been instructed in the following matters:

- Acting (successfully) as sole counsel for the claimant in the trial of a Part 7 claim brought by a solicitors' firm against a former client to recover alleged unpaid fees. The case concerned the enforceability and scope of the engagement documents signed by the parties, and complaints made by the defendant as to the nature and consequences of the claimant's services.
- Drafting a defence in a breach of contract claim brought by a supplier of bespoke products. The case concerned the status of the contract (namely, whether it had been terminated as alleged) and, consequently, of the parties' continuing obligations under the same.
- (On secondment to a solicitors' firm) conducting an evidence review in the pre-action stages of a high-value unfair prejudice petition.