Capability Statement

Dilapidations

Dilapidations are consistently one of the most significant financial considerations at lease expiry, for landlords seeking to recover losses and for tenants managing their end-of-term liability. Claims can reach substantial sums, and the difference between a well-prepared case and a poorly evidenced one is often the difference between a full recovery and a heavily discounted settlement.

Portland Building Consultants provides clear, commercially focused dilapidations advice to landlords and tenants across all sectors in Jersey and the Channel Islands, handling high-value claims with the technical rigour and local market knowledge they require.

Why Portland Building Consultants?

Our surveyors have a significant track record in dilapidations, acting on high-value claims for clients including landed estates, FTSE-listed property companies, REITs and private owners. As a RICS-regulated practice, our schedules and reports are prepared in accordance with RICS professional standards and the RICS Dilapidations Protocol, providing a sound, defensible basis for negotiation or, where necessary, legal proceedings.

Jersey's legal framework differs from English law in ways that materially affect dilapidations. There is no equivalent to the Section 18 cap under the Landlord and Tenant Act 1927, which in England limits a landlord's recovery to the diminution in value of their interest. In Jersey, lease terms govern the position more directly, which increases both the potential exposure for tenants on fully repairing and insuring leases and the recovery available to landlords where obligations have been clearly breached. Our experience across defect diagnosis and Licences to Alter also informs our dilapidations work, particularly where alteration works and reinstatement obligations are in dispute.

Our Approach

We act for both landlords and tenants, and our approach in each case is grounded in accurate assessment, realistic strategy and efficient resolution. Our services include:

- Reviewing lease documentation and advising on repairing, reinstatement and decoration obligations.
- Preparing detailed schedules of condition to establish the baseline for future claims.
- Undertaking thorough property inspections and preparing schedules of dilapidations.
- Assessing and costing lease breaches accurately, including reinstatement of previous alterations.
- Preparing and responding to interim, terminal and final dilapidations claims.
- Negotiating settlements on behalf of landlords and tenants.
- Managing remedial and refurbishment works arising from dilapidations settlements.
- Supporting legal teams with technical advice and expert evidence for disputed claims.

Acting for Landlords

We help landlords prepare robust, well-evidenced claims that accurately reflect lease breaches and associated costs. In Jersey's legal environment, where the lease terms carry significant weight and there is no statutory cap on recovery, a properly prepared and costed schedule is the foundation of a strong position.

Acting for Tenants

We help tenants understand their obligations early, identify genuine opportunities to reduce liability and develop cost-effective strategies for lease expiry. On fully repairing and insuring leases, the potential exposure can be substantial, and early engagement consistently produces better outcomes. Where landlords' claims are overstated or poorly evidenced, we provide the technical analysis to challenge them effectively.

Who We Act For

- Institutional landlords, property investors and pension funds.
- Commercial and retail landlords and managing agents.
- Tenants and occupiers on commercial, retail and industrial leases.
- Asset managers and portfolio owners with multiple lease expiries.
- Legal professionals requiring technical support and expert evidence.
- Insolvency practitioners managing lease liabilities on behalf of tenants.

The Benefit

In high-value claims, the quality of the technical advice and the strength of the evidence base determine the outcome. Portland Building Consultants provides independent, RICS-compliant dilapidations advice backed by genuine local knowledge and a proven track record in complex, high-value instructions, helping both landlords and tenants reach the right outcome efficiently.