



Training Day at Oxford Brookes University 2017

Topic: Neighbour Disputes (Anderson)

MEMO

Johnny/Janey Anderson has called to make an appointment. He/she sounded very angry on the phone and wanted to see someone immediately. I didn't get the whole picture, but apparently his/her neighbour has gone too far and he might hit someone if it isn't resolved soon. I told him/her that I would make an appointment as quickly as possible.



Client Interviewing Competition 2017 Training Day at Oxford Brookes University Topic: Neighbour Disputes (Anderson)

Your name is Johnny/Janey Anderson. You live at Flat 8 123 Frewter Lane, Oxford, OX1 1EF. Make up a telephone number and e-mail address in case you are asked for them. You are around 30 and a plumber.

You are agitated and in no mood to be placated. If the lawyers start off slowly, talking about generic things like confidentiality, shut them off and say that your time is limited and you want to get on with it. You have an appointment in 30 minutes and have to be out of here quickly. If they are very firm and insist that they have to say it then reluctantly agree but if they don't convince you then don't agree.

The first thing you should do is show them the letter that is attached. Just give it to them and say 'that's the problem; that is!' and see how they react.

If they ask what has happened before reading it, be very sparing with the details, so that they have to ask you questions. If they ask you what happened, just say that the neighbours are being oppressive and point to the letter as evidence.

You moved into the house 9 months ago; you own it and it is your first house. You have only ever lived in a flat before so have never had to deal with neighbours. The house is a terraced house that had a wall running down the boundary line. If asked admit that the wall belongs to them and that you knew this when you moved in.

Six months ago, there was a storm (unusual for the summer) and in high winds the wall which was in bad repair had pieces blow off it. A chunk of the stone went through a pane in your greenhouse which angered you. You were worried that your dog might get hurt by stepping on the broken glass and that your precious flowers were damaged. You tried to speak to them but they were away for two weeks and so while they were away you took down the wall. It wasn't hard as it was rotten and you don't think it had been maintained for years. You dumped the bricks on their front lawn.

When they got back they went berserk and Mr Taylor came around to shout at you. You shouted back and you can't remember what was said but you got into a vicious argument with him.

Over the past 6 months' things have escalated. The neighbours have started to shun you and you believe that they are united by their longer friendship with the Taylors.

You have a dog called Harrison, a spaniel, and every now and then you accept that he will go to the bathroom on your neighbour's lawn. You accept that he shouldn't but don't feel that it's your fault; after all other dogs use the path in front of your house so why is this an issue?

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A month ago, Mr Taylor dropped you a short note to say that the dispute had gone on long enough and he would be fixing the boundary. They have erected an ugly grey fence that looks industrial and is 7 ft high! It is rusty and you are afraid that Harrison will get ill if he touches it. Accompanying the note were an 'reconciliatory gesture' of a bunch of lilies. This you felt was a threat because they are often accompanied with funerals.

You have responded by finding a gap in the fence and widening it to encourage Harrison to go through it and by playing loud music before you go to bed. They have retaliated by allowing their son's rock band to play music in their garage which is not sound proofed and, at weekends, will often go on to 3 in the morning.

If, but only if, you are asked, then explain that you are in negative equity and can't afford to move, even though you would love to do this! Be prepared to listen to options but question anything that they say. Realistically you are desperate and know that you need to escape this argument, but you have your pride.

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Dear Mr/Ms Anderson

Your actions are outrageous. You have vilified us for the past 6 months and then have the cheek to come and accuse us of things that we have either not done or have done entirely properly.

I do not understand how you can take issue with the beautiful lilies that we sent to you; this was an attempt by us to overcome our differences and work together. You have rejected this olive branch and we are appalled.

Worse, you have allowed your dog to run rampant over our garden. Persistently and perpetually your mutt has fouled our garden and caused the loss of some very precious roses, of a similar quality to those flowers that we graciously gave to you.

This whole matter started when you took down our fence. This was an unprovoked act and forced us to protect our land by erecting a fence that we agree is unsightly. Until you, however, agree to restore, at your own cost, the wall that should have been there, we have no option but to have something there that will at least deter your foul creature.

We are giving you this one last chance to correct matters by putting our wall back, paying for the cost of our flowers, and apologising, in person and writing, to us and to our son.

Failing this we shall sue you in the courts.

Mr and Mrs Taylor

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