

What does *Stoffel v Grondona* mean for property lawyers?

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The Illegality Defence

- *Ex turpi causa non oritur actio*
- *Holman v Johnson* (1775)

“Illegal or immoral act”

- Insider dealing
- Manslaughter (diminished responsibility)
- Surrogacy contract
- Avoiding creditors
- Mortgage fraud

Old law – reliance test

- *Tinsley v Milligan* [1994] 1 AC 340
- *Tribe v Tribe* [1996] Ch 107

Stoffel v Grondona

- Mortgage fraud
- Trial – old law applied
- Then *Patel v Mirza*

***Stoffel* – Supreme Court**

- Integrity of the legal system
- Relevance of centrality

Cases following *Stoffel*

Practical advice: what to do if your client has committed mortgage fraud?

1. Is it central?
2. If it is:
3. If not: