

EISC Inquiry – Ian Wallace – Responses to Questions 1-3 – 29/11/2011

The following answers are based on a search of all Magistrates Court judgments entered against Ironbridge Holdings Pty Ltd for the past 2 years (October 2009-November 2011), and Ironbridge's own records of judgments for the same period. October 2009 is the earliest that we are aware of any resident in the Dalyellup subdivision taking legal action for fencing/landscaping reimbursements. It should also be noted that some residents took legal action in the Magistrates Court without having installed their own fencing and landscaping, but instead successfully claimed for an unfulfilled contractual obligation. These residents have not been included in the answers to questions 1-3, as the questions are specifically related to residents who undertook fencing or landscaping work themselves, and then later took court action for reimbursement for that work.

- (1)** You advise that of the 22 traditional lots entitled to reimbursement from Ironbridge for fencing, 12 have been paid. Of these 12, how many were voluntarily reimbursed, and how many were reimbursed pursuant to a court judgement?

According to our most recent records, 2 of the 12 traditional lot owners that have been reimbursed for boundary fencing they installed themselves, obtained a court judgment prior to being reimbursed. The other 10 were voluntary reimbursements.

- (2)** You advise that of the 3 cottage lots entitled to reimbursement from Ironbridge for boundary fencing, 2 have been paid. Of these 2, how many were voluntarily reimbursed, and how many were reimbursed pursuant to a court judgement?

According to our most recent records, all 3 cottage lots entitled to a reimbursement for boundary fencing have been paid.

2 of these 3 cottage lot owners obtained court judgments prior to being reimbursed. The remaining lot owner has verbally told Ironbridge that he filed a court claim, but we have no record of this and nor was his name included in the records provided by the Magistrates Court. We therefore count this lot as a voluntary reimbursement.

- (3)** You advise that of the 36 lots entitled to reimbursement from Ironbridge for landscaping, 20 have been paid. Of these 20, how many were voluntarily reimbursed, and how many were reimbursed pursuant to a court judgement?

Our most recent records indicate that 4 of the 20 lots that have been reimbursed for landscaping obtained court judgments prior to being reimbursed. The other 16 lots were voluntary reimbursements and did not obtain a court order for reimbursement for landscaping works.