

**INQUIRY INTO OPPORTUNITIES TO CONSOLIDATE
TRIBUNALS IN NSW**

Name: Mr Bruce Ryan

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To the Secretary,
The Law and Justice Committee,
NSW Legislative Council.

I wish to make a submission to the Committee which is conducting a review of the Consumer Trader and Tenancy Tribunal (CTTT) regarding my experience and opinions of the CTTT.

Background.

I became involved with the CTTT as a result of a waterproofing dispute at my house. The basic facts were as follows:

1. The waterproofer used the wrong waterproofing membrane material for the job and applied only one coat instead of 2 coats. As a result the membrane developed a leak after approximately 2 years resulting in rain water seeping through the concrete slab and into the room below the slab.

2. I attended a formal hearing together with my Waterproofing Expert who also prepared a written report on the water leak. The waterproofer who did the job attended the hearing without an Expert Witness and did not present any written evidence.

My Opinion of the CTTT Hearing.

1. The CTTT Member stated at the outset that he did not have any knowledge of waterproofing processes.

2. I am aware that the objective of the CTTT is to provide low cost justice without the involvement of lawyers. However, since I have no legal training and limited legal arguing ability I found it difficult to effectively mount a case before the Tribunal Member. I say this notwithstanding that I brought along my Waterproofing Expert who answered all of the technical questions on waterproofing. My costs were \$2,000 for a written Expert's report and my Experts time to attend the Tribunal Hearing. In addition, it cost me \$8,000 to replace the waterproofing membrane and retile the concrete slab. After deliberation of my case the Tribunal Member decided that he did not have enough material before him to rule in my favour.

3. While I read all the information on the CTTT Website I felt that there should be a process whereby applicants can discuss their case with a CTTT officer and receive advice on whether they had enough written evidence to **reasonably** expect to be successful. There exists past cases which would enable a CTTT officer to give this opinion.

4. Having been involved in a case at the CTTT I consider that it is a big ask for non legal people to represent themselves in a complex case such as my waterproofing problem without detailed verbal advice and recommendations from CTTT officers.

I thank you for this opportunity to present this submission.

Bruce Ryan