

**Submission
No 70**

**INQUIRY INTO FURTHER INQUIRY INTO THE
REGULATION OF BUILDING STANDARDS**

Name: Mr Patrick Wang

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8/10/2021

PATRICK WANG

Dear public accountability committee,

Thank you for the opportunity to write a submission for the Further Inquiry Into The Regulation Of Building Standards. I am pleased to know that the public accountability committee is continuing with their inquiry into the regulation of building standards. This gives me confidence to know there are operations looking into this situation. I hope from these inquiries there will be changes to policies which safeguard consumers and grants them protections against negligence and non-compliance.

I write this submission as a member of the public and a property owner. I am a buyer of an off the plan 2-bedroom apartment of Imperial Towers on 9 Hassall St, Parramatta.

It has been over 5 years since I first signed the contract for what was promised to be a building with *"flawless design and superior craftsmanship"*. It was seen as an opportunity for stability and owning a home in due time.

For myself, and I know for many other buyers of 9 Hassall St, we feel completely abandoned by the systems in place to support consumers and we have no confidence in the developer and their private certifiers.

I have not received a finished product of high quality as promised by the developer and I am unable to rescind my contract and look for other opportunities to own a home. I am stuck between a building full of serious structural defects and a dead end where I cannot leave the contract.

My home loan was not approved by one of the big 4 banks because the valuation of the property was changed due to the defects. We have no word of when the defects will be rectified. We are unable to rescind from the contract. This puts me in a precarious position. I am tied to a building with structural defects without an occupation certificate, with no end in sight. All the while unable to create any other opportunities in owning a home.

My wish is to leave the contract and not be tied to this fiasco any longer. This wish is prevalent with other buyers of Imperial Towers.

Below is a short summary of the recent events regarding 9 Hassall St. Please disregard if the details have already been made known to you.

- In August of 2020 we were notified that the sunset date will be delayed by 315 days. With 12th June 2020 being the altered date.
- In April of 2021 we were again notified of delays, with extension to sunset date by another 50 days, reaching the maximum. The new sunset date being 30th August 2021
- Months prior to the new sunset date there became news of major defects found in the building of 9 Hassall St.
- We were informed that the building commissioner had then issued a prohibition order to Hassall Developments (subsidiary of Merhis Group), preventing the registration of the strata plan until the serious defects were rectified.
- We later found out around 3 weeks later there was an amendment to the prohibition order which was issued to the developer Merhis Group. This new order did not have the previous rule which prohibited the registration of the strata plan until defects were fixed.
- The strata plan was registered. Please note defects were not fixed.
- With the passing of 30th August 2021, the sunset date, there still has been no occupation certificate and no news of when and how the defects will be fixed

My questions as a consumer are:

- Why did Michael Whitton from Fair Trading amend the initial prohibition order? There was obviously a fundamental reason why this order was given. For it to have been changed, without any defects fixed, leads to serious questions on the integrity of these actions.
- Under what pretense was the building deemed fit for SP approval when major defects were not fixed?
- Who will be certifying the building and are there policies in place to hold them to account?
- How will consumers be protected when building issues arise in the future? There are examples in the news of Mascot and Opal towers. Many have been forced out of their homes whilst still paying their mortgage, on top of immense strata repayments.

Yours sincerely,

Patrick Wang