

Ms Veronica Candy
Acting Registrar
Architects Board of W.A.,
33 Broadway
Nedlands WA 6009



Hayek on Hood
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31 Hood Street
Subiaco
Western Australia 6008
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25th June, 2013

Dear Veronica,

Re: Complaint to Architects Board of W.A. – Mr David Hillam

Further to our telephone discussion please find attached a completed Complaint Form and associated correspondence relating to Mr David Hillam.

It would be appreciated if you could acknowledge receipt of this letter and submission.

I look forward to reaching an amicable settlement to this outstanding matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ron Manners". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ron Manners,
Chairman
Mannkal Economic Education Foundation

Att.

MANNKAL ECONOMIC EDUCATION FOUNDATION

"Those who expect to reap the benefits of freedom must undergo the fatigue of supporting it" Thomas Paine



ARCHITECTS BOARD OF WESTERN AUSTRALIA

Complaint Form

Form 21

3 March 2009

Use of this Form

This form is for use in lodging a complaint with the Architects Board of WA. If you believe an architect is behaving in an unprofessional manner or has contravened the *Architects Act 2004*, then a complaint can be made to the Board.

Please read Information Sheet 21 - Complaints Against Architects before completing this form. Failure to complete the form properly may result in significant delays in processing your complaint. Please attach photocopies of any relevant documents. Do not send original documents.

1. Complainant Details

Surname: MANNERS

Given Names: RONALD BROWN

Address: AS Complainant to MANUKAL ECONOMIC EDUCATION FOUNDATION

Unit 3 31 Hood St SUBIACO Postcode: 6008

Telephone: (w) 08 9382 1288 (h) 08 9474 1866 (mobile) 0419 312222

Email Address: ron.manners@manukal.org

Please tick the category that best describes you:

☐ Client

☐ Builder / Contractor

☒ Other (please specify) PURCHASE OF STRATA-TITLED UNIT DURING THE PERIOD OF BUILDING LIABILITIES

2. Architect Details (subject of the complaint)

Surname: HILLAM

Given Names: DAVID

Company: HILLAM ARCHITECTS

Architect Registration No: 1764

Address: 2/31 HOOD ST

SUBIACO

Postcode: 6008

Telephone: (w) 08 6380 1877 (h) 08 6380 2807 (mobile) 0412 286 708

Email Address: DAVID@HILLAM.COM.AU

Are you complaining about the individual architect or the architectural corporation listed above?

☐ Individual architect

☐ Architectural corporation

☒ Both



3. Background

3.1 Do you have a formal client-architect agreement which sets out the description, terms and conditions of the engagement?

☐ Yes ☒ No

If yes, please supply a copy of this document.

3.2 How have you tried to resolve this complaint with your architect?

- ☐ Phone
☒ Letter & EMAILS
☒ Meeting
☐ Dispute resolution process as outlined in the client – architect agreement
☐ Other (please specify) _____

3.3 Are you prepared to consider conciliation with the architect as a means to resolve this matter?

☐ Yes ☒ No *WE SIMPLY REQUIRE THE DEFECTIVE BUILDING REPAIRS SO WATER DOES NOT RUN DOWN OUR INTERIOR WALLS WHEN IT RAINS.*

3.4 Have any legal proceedings been initiated in relation to the matters you are complaining about?

☒ Yes ☐ No

If yes, please provide details of the type of action taken, by whom, against whom and the current status.

*Copy of correspondence from Maxim Litvinov (ans
(NAMES WITH LARIN LEGAL) ATTACHED.*

3.5 If you answered no to question 3.4, are there any other legal proceedings that may be initiated during or after this process?

☐ Yes ☐ No

If yes, please provide details.

4. Details of the Complaint

What section of the Architects Act 2004 do you allege your architect has breached?

LACK OF COURTESY AND PROFESSIONALISM IN RESPONDING AND ACTING ON CLIENT'S COMPLAINT.

Please provide details of your complaint:

- details of circumstances leading to your complaint;
- what your architect did or did not do; and
- dates of the conduct or behaviour you are complaining about.

If there is not enough space on this form, please attach additional pages.

THE BUILDING AT 31 HOOD ST SUBSIDED WAS COMPLETED APPROX 1 MARCH 2006. DESIGNED AND SUPERVISED BY HILLON ARCHITECTS AND SOLD TO VARIOUS OWNERS BY HOOD ST UNIT TRUST OF WHICH DITTO HILLON IS A DIRECTOR. MANIKOR ECONOMIC EDUCATION FOUNDATION PURCHASED UNIT 3 / 31 HOOD ST ON SEPT 30th 2010 ON THE UNDERSTANDING THAT THE SEVERAL BUILDING DEFECTS WERE ALL COVERED UNDER WARRANTY AND WOULD BE REMOVED (NO DEFECT BEING CEILING WATER DRAINAGE AND OBVIOUS STAINING FROM WATER RUNNING DOWN INTERNAL WALLS)

THE MAJORITY OF THE DEFECTS HAVE BEEN REMOVED BUT WATER CONTINUES TO RUN DOWN WALLS WHEN IT RAINS

THE UNDERSIGNED IS A MEMBER OF THE BUILDING OWNERS COMMITTEE (WITH MARK BENBOUGH, PETER KINCHALLA & STEPHEN HAZEL), HAVING BEEN APPOINTED ON 16th DECEMBER 2010 AND EVELY SATISFIED WITH

IN BRIEF, ALL WE ASK IS FOR DAVID HILLMAN
TO RECONSIDER THE FAULTY DESIGN - CONSTRUCTION
TO ENABLE US TO OPERATE FROM AN
OFFICE FREE FROM WATER RUNNING
DOWN THE INTERIOR WALLS WHEN IT RAINS
(WE HAVE 17 TENANTS IN THIS PORTION
OF THE BUILDING AND THEY ARE NOT
ENJOYING THE PRESENT SITUATION)
DIRECTLY ABOVE THEIR TENANCY THE CEILING HAS
EXHIBITED STAINING AND CRACKING THROUGH
THE TEMPORARY JOINT TO EXHIBIT DOWS LAST
NOVEMBER

Attach copies of relevant documents to support your complaint. Please list your supporting documents below.

1. COPIES OF EMAIL AND CORRESPONDENCE
2. TRAIL FROM SEPT 2011
3. TRAIL TO UNANSWERED EMAILS TO
4. Mr Hillman May 23, 2013 and June 4, 2013
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____