

Public DEFENDER

John Rolfe

8008

Building complaints NSW Fair Trading received in 2009/2010



email me at rolfej@dailytelegraph.com.au and join my blog at www.dailytelegraph.com.au

Please help!

I need some legal advice

Driveway bandits

Cunning asphalt cowboys are ripping off the elderly

Rosemarie Lentini

MARY Lyson thought \$2000 for a new sealed driveway was too good to be true. She was right.

The bitumen laid by “asphalt professionals” who said they were from a business called Top Quality Paving is riddled with cracks and dangerous to use.

Ms Lyson, 82, is the latest victim of the “Bitumen Bandits” who authorities say are unlicensed, itinerant workers ripping off customers with dodgy work.

The retiree from West Pymble had been thinking about redoing her driveway when a man claiming to be from Top Quality Paving knocked on her door on March 14.

He said he was an asphalt specialist and promised a top job at a bargain price.

“They certainly had the gift of the gab,” Ms Lyson said.

Six workers laid the bitumen on March 23 and 31. Ms Lyson handed over \$1000 cash on both days. Now, a few months later, the driveway is in a mess.

“It deteriorated so quickly, there’s no traction left. Cars try to go up and they can’t even make it up the hill,” Ms Lyson’s son Barry said.

“One of Mum’s elderly friends slipped walking up it. It probably was better before we had it done.”

The Lysons were promised a seven-year guarantee on the work but the company won’t return calls. The York St head office address listed on its flyer is actually an ink cartridge company.

Calls by *The Daily Telegraph* to the number supplied to the Lysons were met by a voicemail and the calls not returned.

A company search of the ABN supplied to the Lysons turned up nothing.

The “Bitumen Bandits” are well known to authorities. They’ve ripped off customers across NSW, including in Castle Hill, Coffs Harbour and the Blue Mountains, and as far west as Perth.

NSW Fair Trading has received about 70 bitumen complaints since 2008.

“These conmen and their gangs are targeting the elderly and other vulnerable consumers,” a spokeswoman said.

“They are taking advantage of the trust and goodwill of Australian consumers.”

Fair Trading said anyone offered the deal should call 13 32 20. Any information such as a car registration, phone numbers and physical appearance helps



Degenerated: Barry Lyson and his mum Mary and the collapsed driveway

Picture: Adam Ward

Putting power in the attorney

HELEN asks: On behalf of a “struggling” neighbour, I would like to know if someone who has power of attorney has more rights than a trustee or vice versa?

Have your legal queries answered on our blog with Maurice Blackburn legal expert Rebecca Gilseman at noon today



A POWER of attorney appoints a person to act on behalf of another person or company.

The attorney can be appointed to act on behalf of the first person in every situation or limited situations, forever or for a specified period of time.

The only limits to the power to act are those expressed in the document itself.

A trust on the other hand is an arrangement whereby a person or company, the trustee, holds assets for the exclusive benefit of another, the beneficiary.

The person who sets up a trust can specify the purposes and manner in which the trust assets are to be used.

So a power of attorney is broader in the sense that it can extend beyond managing assets or money to making decisions about any aspect of life, such as healthcare.

Legal information is general in nature and not to be regarded as legal advice by Maurice Blackburn



Compensation is more than just a number.

An extra ten percent on your compensation agreement could mean the difference between being able to pay your mortgage or rent, or living with the stress of trying to keep your own home. Which is why we’ll fight hard for that bit extra, to get you a long-term solution not just short-term assistance. Because at Maurice Blackburn, we fight for fair.

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