

Family to sue estate agent

A BIRKENHEAD family are suing an estate agent to get back the deposit they paid on a flat that is unfit to live in.

Mr and Mrs William Sutton were offered the flat, in Highfield Grove, Rock Ferry, by Rubin & Co, the estate agents of 62 Lord Street, Liverpool.

They signed an agreement and made the first payment of £56. Rubin's told them that repairs needed doing and they should call back later for the keys.

Meanwhile Mr Sutton hired a van to pick up his furniture which was stored at the homes of various friends. He then collected the key, only to find that it did not fit the door. From outside he could see that the windows had not been properly repaired, and one at the back was completely broken.

Next day the Suttons told Rubin's that they would not move in or pay any rent because they didn't want to accept the flat in its present state. Workmen called at the flat the same day and fixed the windows, saying they would be back the following day.

The flat was still in no condition for the Suttons to move in.

By this time the hired van had cost Mr Sutton £20 and he couldn't afford to keep it any longer, so he put the furniture back in store.

Mr Sutton went to the flat every day waiting for the workmen to return, but they did not. He was in regular contact with Rubin's. After a few days he asked Rubin's for a copy of the agreement he had signed. They said they would send him one, but it did not arrive.

One day while Mr Sutton was waiting at the flat, a man from the council called and told him it was not a fit place to live in. The council had served a notice under the Public Health Act earlier in the year.

The Suttons then went to see a solicitor. The solicitor asked Rubin's for a copy of the agreement and also asked Rubin's to return the £56 on the grounds that the promised work had not been done.

Rubin's were reminded that at one

stage they had offered to rescind the agreement. Mr Sutton had — quite reasonably — turned down their offer because at that time he was still anxious to have the flat put right so that the family could live in it.

Rubin's later claimed that the flat had been damaged by vandals and had been habitable at the time Mr Sutton signed the agreement. They threatened legal action against Mr Sutton.

The Suttons' solicitor asked a surveyor to examine the flat. The surveyor found nine serious defects, including serious rising damp in all the rooms. The bathroom and kitchen waste pipes emptied onto grass, not into a drain, and the electrical wiring was not up to standard. The surveyor said only three of the defects could possibly have been caused by vandals. The rest were of a type "basically inherent in a neglected property."

He said he could not agree with any claim that the flat had recently been habitable.

After another reminder from the solicitor Rubin's finally provided a copy of the agreement... some four months after it had first been asked for.

The solicitor then discovered it was not a tenancy agreement. The Suttons had misunderstood the complicated document and had actually agreed to buy the flat on a 'rental mortgage'.

This was alarming, because technically it could have made the Suttons the owners of the flat — and made them responsible for doing the repairs ordered by the council.

But fortunately, as the Suttons had not kept up the payments, the agreement was almost certainly no longer valid and the legal ownership remained with the firm who had 'sold' the flat, a Rubin company called Clanglen Securities.

The Suttons have now been granted legal aid and intend to sue Rubin's for the £56. Meanwhile they have had to sell their furniture and are living with their young child in one room which they rent for £5 a week.



Common Market Madness (1)

Mind what you grow!

IF YOU'RE TRYING to cut the cost of living by growing your own potatoes — watch it!

For on July 1 Common Market Directive 464/5 came into force in Britain. This makes it illegal for anyone with less than ¼ acre of land to grow certain varieties of potato. Six varieties are involved, including King Edwards.

The law, originally intended to control potato disease, carries heavy penalties... £100 for the first offence, £200 for subsequent offences.

This is just one of a whole series of petty Common Market regulations which Parliament approved, apparently without bothering to read them.

Perhaps we can now look forward to midnight raids by the "Spud Squad" on suspected allotments.

Common Market Madness (2)

Any repairs to declare?

IF YOU'RE DRIVING a car between Britain and any other Common Market country this summer you'd better pray that nothing goes wrong.

Any repairs you've had done must be declared at the border. This is because technically you are "importing spare parts" — and you have to pay tax on such imports. If you don't declare them and get caught you will be fined.

An official leaflet has just been published, apologising for the situation. It says: "The European Commission is at present examining the most appropriate solution to this unfortunate problem."

Which raises the question: Why did they make such a silly rule in the first place?

Flat was unfit — surveyor

Letters to the Free Press

IN OUR LAST ISSUE we criticised Liverpool City Council for their startling generosity towards Venture Housing Association. We reported that the council had so far lent the association nearly £800,000 and were using compulsory purchase powers to help them get land.

We pointed out that although Venture is technically non-profit making, several committee members were able to earn enormous fees by working for the association.

We have received two letters from Venture's committee members, which we print below.

From William G. Richards, Secretary, Venture Housing Association.

MY ATTENTION has been drawn to the reference, in your edition number 15, to this association.

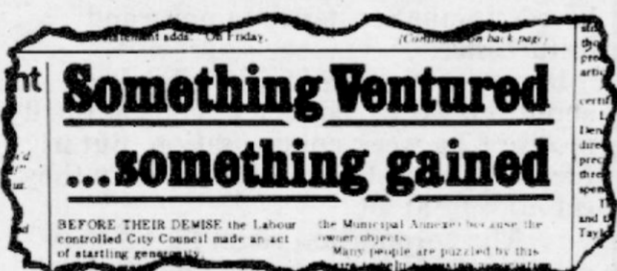
As you did not trouble to verify any of your facts from us, I would like to make the following points:

1. The site at the corner of Grove Park and Sefton Park Road. I think it is unfortunate that you chose to comment upon the site prior to the hearing of the public enquiry. The position is that this site has been vacant for over 25 years.

A member of the City Council, of no connection with us, who represented the ward in which the site is situated, repeatedly tried to get something done about it, but was not successful. The owners refused to develop or sell the site.

We thought that it would be a good site for a housing development and we asked the owners to sell, but they declined to do so, other than at a price which was unreasonable. As a result of this attitude on the part of the owners, valuable housing units have been lost to the city for a long time and also a large amount in rates.

When the position was fully pointed out to the City Council by the member concerned they decided that they would have to act. This they did by applying to the Secretary of State for compulsory



The story in Free Press No. 15, purchase powers. They also resolved that if granted, the site would then be sold to us for housing purposes. If the Corporation wish to develop this site itself we will be quite happy about this because we are concerned more about the waste of a site and the loss of the houses than who carries out the development. There is nothing wrong with this attitude.

2. We purchased 62 Laurel Road which was a cleared site and 66 Laurel Road which was a large house. Number 64 is a vacant site. The owner is asking a very large sum more than twice as much as the District Valuer will allow us to pay. You will appreciate that the district valuer who is an independent official, values the site only on the basis of his opinion of market value. When two out of three owners are willing to settle at his valuation, do you not think that the last owner is being just a little unreasonable.

Mr Doyle owns a very small piece of land which, if acquired by us, would enable us to complete the site and to build 24 flats. However the site is undeveloped; it should be developed and if the Corporation wish to buy our two sites namely Number 62 and 66 Laurel Road for development we would be perfectly happy to sell these sites to them so long as we are reimbursed in respect of the actual cost to us. This is a site which has been disused for some time and should be put to some use. Is there anything wrong with this?

3. We are a legally constituted non-profit making charitable organisation. Housing associations fulfil a great need for housing between the private and local authority sectors. Local authorities are fully empowered to make loans to housing associations and this is being done throughout the country.

4. With regard to the composition of our Committee of Management at least half

are non-fee earning. The Chairman acts in an honorary capacity and does not receive any remuneration whatsoever. In March 1973 he stated that he wished to resign because the work he was being asked to do as Chairman was too much. We drew up a list of fifteen well-known people and approached each one of them in turn to enquire if he would be prepared to act as Chairman. But not one of them was willing to do so and our Chairman stated that he would continue in office until we found a suitable replacement.

Silverman, Livermore & Co are our solicitors, and would we hope act as our solicitors whether or not Sir Harry Livermore continues to act as our Chairman. He has virtually retired from that firm.

We have got to have architects and quantity surveyors, estate agents, building contractors and many others to carry out our work, but are certainly not limited to any one firm in these or any category. If any professional firm were to put forward a suitable scheme to us it would receive full consideration. We have previously circulated all such firms connected with building in order to ask their support in this way, for we are concerned with the building of houses and not with providing work for professional people. We are also negotiating with contractors to buy houses which they cannot presently complete due to the mortgage famine. When acquired they will be put out to rent.

Lastly I would point out that membership of the association is open to anyone who has a bonafide interest in our objects, is accepted by our committee and is willing to pay £1 for a share.

As we depend upon voluntary subscriptions and public monies for our work, we are always anxious to ensure that full information is given to enquirers upon request and to this end we hope you will give full publicity to this reply. — WILLIAM G. RICHARDS, Secretary, Venture Housing

● Mr Richards' letter confirms our worst fears. He admits that up to half Venture's committee members benefit financially from the housing schemes — and he doesn't deny that he will be eligible for £27,000 in fees if Venture's flats in Grove

EXIT EXCALIBUR...

IN FREE PRESS number 15 we examined — with a good deal of scepticism — a moneylending scheme operated by a Liverpool firm, Excalibur Finance Brokers Ltd. We reported that before would-be clients could borrow any money they first had to hand over £5, which was described as a non-returnable "search and processing fee."

At this stage clients had no idea whether they would be granted a loan or not... and an alarmingly high proportion seemed to have paid their money, only to be told later their application had been refused.

Shortly after our article appeared, a Free Press reader from Netherley told us he had paid £5 and had heard nothing more — he had not even had a rejection note.

After waiting some weeks he called at the firm's office in Dale Street. He found the place abandoned. The firm had disappeared.

The reason for Excalibur's disappearance was that they had got into debt. They owed money to Lawton's, the Liverpool typewriter and stationery firm. Lawton's petitioned the county court. The court ordered Excalibur Finance Brokers into compulsory liquidation and called in an official receiver.

And that, you might think, was the last we had heard of Excalibur. But it was not...

THE MANAGING director of Excalibur Finance was Mr Simon Harris from Gateacre, who describes himself as an investment consultant.

Shortly after the firm's collapse, he popped up again as head of a loans firm in Southport. This new firm might easily be mistaken for Excalibur Finance.

In addition to their Liverpool office, Excalibur Finance had an office in Coronation Buildings, Southport. Coronation Buildings is now the headquarters of Mr Harris's new company.

But the similarities go much further than this.

Excalibur Finance offered loans in a letter beginning: "Dear Sir, It is our pleasure to be able to offer you a privileged opportunity to apply in confidence for the most advance financial facility..."

So does the new company. Excalibur Finance charged applicants a £5 fee. So does the new company.

Excalibur Finance used notepaper with a shield and crossed swords motif, and the heading "The Excalibur Broking Group." So does the new company.

The company's real name appears in smaller type beneath the heading. It is Cathall Insurance Brokers (Investment and Banking Services Division). Despite

—and back again

the many similarities it is legally a different company from Excalibur Finance. So anyone who lost money dealing with the old company cannot expect to get it back from the new one.

Excalibur Finance got its customers through a pyramid-type organisation who charged people £30 to work for them. A firm called Cannon Advertising sent letters to likely customers and those who replied were visited by a representative. Reps were paid commission and it was claimed they could earn £60 for a few hours' work each week. (Our own enquiries showed this was very difficult).

The new firm uses a similar organisation. But this time representatives who join have to do more work. The £30 now has to be paid direct to Cannon, in exchange for a bundle of 1,500 letters. These are no longer sent out by post... representatives have to deliver them themselves. This situation is blamed on the February election "which used up all the envelopes."

● Biggest shareholder in Excalibur Finance Brokers was Mr Malcolm Carr (brother of the city council leader). He owned 1,000 of the firm's 1,751 shares.

For the man who has everything—and at least 36 ties, a motor-driven revolving tie rack. Press the button at the side and the spokes on the four wheels roar into action, spinning the ties they bear before your eyes in a rainbow of colour. (This "great new closet accessory," the Royal London Rack-o-Matic costs £6.95)

For those of you who don't bother to read the Sunday Times, here's an example of the sort of thing they're urging readers to buy these days.

For the man who hasn't got everything this revolving tie rack is a dead loss.

They also recommend an umbrella ventilated by an electric fan at the top (don't ask us why)... and a "Jinglephone" which plays music to telephone callers when you can't be bothered to talk to them.

Park are built. Throughout his long letter Mr Richards corrects us on one — and only one — point of fact: Venture is a registered charity. But this does not weaken our argument.

No housing associations are allowed to make a profit, but they fall into two categories — those which are incestuous and those which aren't... those whose committee members are able to dream up schemes and pay themselves fees for their work, and those like Merseyside Improved Houses and Liverpool Housing Trust, whose committee members are forbidden to collect fees.

If Mr Richards and his colleagues are so concerned about the deplorable housing situation in Liverpool they should show their good faith by stopping the payment of fees to members. They can all afford to give a few hours of their time free. Mr Richards has his own thriving architect's practice and McVeigh owns his own estate agent's business.

At the moment property companies are facing a crisis. They cannot obtain finance for their schemes. Many are going bust with the high mortgage repayments. The reason why housing associations are so popular, especially with professional people like estate agents, architects, solicitors, is that once accepted by the local authority they have no financial worries.

They are guaranteed loans from the Corporation or the Treasury. They can't lose. The bigger the schemes they dream up and build for their own association, the bigger the fees they collect.

On the question of 64 Laurel Road, the owner is simply doing what you would expect from any property owner — holding out for the highest possible price. The real issue is the use of compulsory purchase powers (see reply to Crawshaw's letter).

From Lt. Col. R. Crawshaw, OBE, TD, DL Labour MP for Toxteth.

HAD YOU TAKEN the trouble to ask me, you would have been able to confirm that I have never received a penny from my work on Venture Housing Association, nor have I ever received a penny for any outside work I have done in my capacity as an MP. You are incorrect in saying it is not a charity. It is a charity and bound by the tight rules enforced by the Charity

Commissioners. Any houses we have been able to build have been built in excess to any which would have been built had we not existed. Our sole purpose is to help to overcome the housing shortage on a non-profit making basis. I am not so tied to political dogma that I see a fault in building houses for rent or sale provided the tenants get all the benefits. Any land we ever obtain is always readily available to the Corporation for building Corporation houses if they so wish. They would be able to have the land without our making a penny profit on it. Apparently you see an injustice in trying to obtain land at a price agreed as fair by the District Valuer — this is the only amount we are able to pay for the land and a CPO is the only remedy we have in order to obtain land not serving the community interest but being offered by the owner at a price far in excess of its real worth. Decide whether the Free Press wants to solve the housing problem or merely protect the landlords — then we will know whose interests you represent.

Incidentally in my election address I stated (with pride) that I was "an unpaid director of six local housing associations". I intend to go on trying to find houses for those who need them despite any slurs which might be made by those who don't seem to appreciate what the problem is all about. — DICK CRAWSHAW.

● Colonel Crawshaw's letter is pious nonsense. We said in our story he was in the association because they needed an influential figure. We said he was not in it for financial gain.

Housing associations can never solve Liverpool's housing problem. The Corporation waiting list alone is now 22,000 people... larger than at any time since... immediately after the Second World War. Mr Crawshaw should spend his time condemning the Conservative and Labour parties' abysmal house building record in the last few years, rather than helping to give a veneer of respectability to a fee-generating housing association.

The Free Press finds it extraordinary that Mr Crawshaw can sit alongside Anthony McVeigh, one of the most reactionary Tory councillors. It was the Conservative party after all who were saying just three years ago that Liverpool would have a massive surplus of 14,000 council houses by 1980.

They used this excuse to cut back the

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