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**Re: 8.3/201 Spring**

4 messages

Porl van Herk &lt;vhporl@gmail.com&gt;

Mon, Apr 4, 2016 at 1:16 PM

To: RobertMarshall &lt;[REDACTED]&gt;

From: Porl &lt;pvh\_182@hotmail.com&gt;

Sent: Tuesday, 29 March 2016 7:21 PM

To: RobertMarshall

Cc: Paul van Herk

Subject: Re: 8.3/201 Spring

Hi Robert,

I am already aware that terminating the lease is Little Real Estate's preference, and I will be able to confirm in the next day or two whether I have been able to secure other accommodation, as my preference is also to be done with this and move on to greater things. For the record, however:

I wasn't actually notified at all by Little Real Estate that there was no car park, even though I asked specifically about it a week earlier in your office at 628 Bourke St when signing the lease on 18th March. Thus Little Real Estate could, but did not, have given me up to a week extra notice. I found out about the no-car park situation from talking to the building manager, John Wild on last Thursday 24th March, who I called of my own prescience with respect to moving-in arrangements.

Additionally, Of those 8 days prior to the start of the lease, 4 were public holidays or weekends (the Easter break). You and I both know that 4 business days is not a reasonable amount of time to find a place, meeting the requirements of A) One that is suitable and that I am happy with; and B) One that is available immediately and I am chosen ahead of all other applicants to occupy.

Despite being a near impossible task, I have been making all efforts to find alternative living arrangements quickly, particularly in the share house market, which generally has a faster turn-around time. This is less than ideal as I would prefer to live on my own. I also did go to your private inspection and did earnestly look online myself for empty apartments, with no avail. I'm not sure about the oversupply of apartments from your point of view, but I find most apartments in Melbourne to be of substandard quality and very low of character, including and especially those that you have sent me links to. This is very important to me and I told you numerous times of this. Thus my 'criteria' are not met 370 times in that link that you sent me, rather patronisingly. Those are not good alternatives.

This morning I said that am I to occupy the apartment, I would expect Little Real Estate (or whomever you're associated with) to arrange and pay for my car parking reasonably close to the premises for the 10 month duration of the lease. You did not agree nor refuse my proposal on the phone. This is something we discussed taking to VCAT if necessary. I am not the litigious type and would rather avoid the stress of this and use my time to more productive ends. Like I said, I may not have a choice, but I will let you know in the next day or two if I have managed to secure the other accommodation that I am chasing.

In terminating the lease I would then expect to be immediately reimbursed in full of the bond (\$2370), the first months rent (\$1716) and the postage costs of the expedited bank cheques I sent on 17th March to your office (\$11 per cheque from ING). I imagine there would be the signing of some document involved too?

I'm not surprised or upset that you've been advised to wiggle out of this sticky scenario despite initially attempting to bring some common decency to the situation; and I understand that your language is of course 'for the record' and don't take it personally. I am overall concerned by the loose and irresponsible practices of real estate agent teams exemplified here at Little Real Estate. This is a case of negligence, which in most other industries it is met with real repercussions. You said to me last week regarding the (purportedly accidental) false advertising of the apartment - 'It happens. it's happened before and it will happen again'. That's a classic trademark slogan of company ineptitude and it'd be really great to see those professional standards (and reputations) lift, across the board.

I'll be in touch shortly.

Yours sincerely,

Paul van Herk

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