

Sean Choat MP
Member for Ipswich West

Friday 21st September 2012

Re : Dealings with the QBSA

Dear Mr Choat

Please find below a short summary of my company's dealings with the QBSA over the past ten years or so.

I am the sole director of Treat Rite P/L, a company that **previously** designed, built, sold and installed domestic wastewater treatment plants (HSTPs or AWTS) in SE Queensland, and NOW only services these systems.

I have deliberately kept my comments to the point so that the reader can grasp the facts quickly. If further information is required I will be happy to provide this.

Complaints

Each time the QBSA has contacted my business over the past ten or so years it has **always** been:-

- a. Unexpected and "out of the blue"
- b. Immediately aggressive, threatening, intimidating and bullying.
- c. Without the presumption of innocence
- d. Without any initial query, conversation
- e. The QBSA has fabricated 'legislation' and also disregarded them in its dealings with Treat Rite P/L.

Examples

1. The QBSA took Treat Rite P/L to court 5 years after providing a builder with a quote offering to supply and install a sewage system. The first contact was **five years later** - a summons to court to answer these charges. No other contact was made.
2. The QBSA stated that Treat Rite P/L had offered to carry out "building work" and that they had legislated that installing a system was indeed "building work".

This was not and is still not the case. Subsequent court cases and letters from the general manager, Ian Jennings show this.

My company is now in the unusual place of being fined for providing a quote (which I did admit to - not offering to carry out "building work" - court hansard will show this) for something that was not illegal.

To make matters worse Treat Rite P/L :-

- a. Retrenched 6 staff
- b. Lost long term customers (turnover of over \$3.5 million dollars pa lost)
- c. Lost ongoing additions to its servicing base.

This can never be addressed.

At the time my wife and I were struggling with our daughter's fight against aggressive brain tumours and did not have either the mental or physical energy to pursue this matter. The QBSA were aware of this but showed no compassion at all.

In fact each time I queried their thinking I was threatened with greater fines and also a conviction. This is their modus of operation.

This claim can be substantiated.

All this was based on the QBSA **saying** that a licence was required for this work. As stated this was fabricated by the QBSA, proven in court by others who fought the QBSA and also by written letters by Ian Jennings later.

3. **Currently** the QBSA, again, without any initial contact have **demand**ed that Treat Rite P/L hand over all contracts and documents from February 1st 2012 of “building work” being carried out or offered to be carried out.

The letter again gives no benefit of the doubt or presumption of innocence **instead** it threatens me with:-

- a \$20 000.00 fine if I do not comply
- a \$10 000.00 fine if I do not certify this to be true and accurate.

Nowhere does it give me an option if I haven’t done any of these things! **Which I have not!**

Secondly they have quoted Section 106 which empowers the QBSA to request this information. **However**, the second part of this section states that they must have reasonable proof that the company has offended.

The problem is:-

1. They have already destroyed my business so we have not offered or carried out “building work”.
2. By their own documentation no licence is required any way. So no breach!
3. They have sent this request to at least 5 other companies. When speaking to the writer of the request he told me that it was a general request to a list of companies **servicing** on the Gold Coast.

This is a ‘fishing expedition’ and is outside of Section 106

The QBSA does NOT have jurisdiction over servicing as this is definitely not “building work”.

After I complained to the ministers office, Ian Jennings, from the QBSA, gave me an extension to respond to their request. When asked the reason for the initial QBSA request he stated an actual complaint had been received. **One of the QBSA’s officers is lying.**

I KNOW WHICH ONE!

Also when I asked Ian White what the complaint was he stated that the QBSA does NOT have to tell me and will not tell me.

Is this fair, legal or sensible?

How can I defend my self if I do not know what I have done.

This is, by my solicitors’ and barristers’ words, “Entrapment”

After letting the QBSA destroy my business and income as well as others losing their jobs the first time this final act from them (when they are totally in the wrong) is the final straw.

Everywhere in society **bullying** is condemned.

This is no different to school, workplace or cyber bullying **except** it is been carried out by a Government Agency. **This is not acceptable!**

This is illegal!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

I look forward to any requests for further information in helping the review of the actions of the QBSA.

Yours sincerely

Neil Patmore
Sole Director
Treat Rite Pty Ltd