




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

Record of Proceedings, 5 February 2020

ADJOURNMENT

Australian 4WD Hire

 **Mr NICHOLLS** (Clayfield—LNP) (7.06 pm): On 16 June 2018 I detailed the unscrupulous, unfair, fraudulent and quite possibly illegal activities of Australian 4WD Hire. After exposing those activities, I was inundated by emails from former customers who had been ripped off by that business.

In April 2019 after my representations to the federal Treasurer, and the hard work of others, the ACCC instituted court proceedings alleging that Australian 4WD Hire used unfair contract terms, engaged in unconscionable conduct and made false or misleading representations in relation to insurance cover in breach of the Australian Consumer Law. The ACCC also alleges that Australian 4WD Hire's fleet manager, Mr Vitali Roesch, and director, Ms Maryna Kosukhina, were knowingly concerned in the alleged breaches of the Australian Consumer Law. Despite this, both Roesch and Kosukhina, under the guise of Australian 4WD Hire, continued ripping customers off right up to and over Christmas 2019. Here is how they did it.

Despite clearly knowing that they were going to sell the business and then put the company in liquidation, Kosukhina and Roesch via the business delayed paying legitimate creditors and continued to accept rental security bonds and deposits, and it appears they also did so for some days after selling the business. Records show that on 17 December 2019 the business was sold to a company incorporated only five days earlier—a company with no name, only an Australian company number, whose registered office is in Melbourne and whose sole shareholder and director cannot be located. Dodgy business indeed!

Then Roesch and Kosukhina put the company behind Australian 4WD Hire into liquidation. This means many customers who had paid bonds and deposits for the trip of a lifetime before Christmas 2019 and the many customers owed money as a result of successful legal claims now face almost no prospect of recovering their money. Tens of thousands of dollars have been ripped off again. The new owner refuses to refund bonds paid prior to Christmas, and of course to no-one's surprise there is virtually no money in the defunct company accounts, despite tens of thousands being deposited by customers in the lead-up to the sale and subsequent liquidation.

I have written to the liquidator, Mr Matthew Bookless of SV Partners on the Gold Coast, calling on him to thoroughly investigate all aspects of this tawdry and shameful business. He should review the dodgy business contract and publicly examine the individuals concerned to see if money can be recovered to benefit creditors. I table a copy of my email to Mr Bookless and a copy of his initial report to creditors.

Tabled paper: Bundle of documents from the member for Clayfield, Mr Tim Nicholls MP, relating to the appointment of a liquidator of Australian 4WD Hire [\[193\]](#).

The ACCC must continue its prosecution of Roesch and Kosukhina to ensure they cannot continue their predatory practices. Any potential customers should be wary of Australian 4WD Hire. Its chequered history and the events of the last month should sound alarm bells. The business continues

to use the same dodgy rental contract described by the ACCC as unfair, misleading and unconscionable. New customers run the real risk of being ripped off unless that changes, so beware of Australian 4WD Hire. My advice is to protect yourself and rent from somewhere else.