

How To Save Thousands Of £££s

Solicitors cost money...thousands of pounds worth of money. Think carefully before instructing one in a dispute warns Don Waterworth, The Installer's technical author.

There is a misconception that at the first sign of a dispute with a consumer, a Solicitor should be instructed – Solicitors cost money... thousands of pounds worth of money writes our technical expert, Don Waterworth.

Let me tell you how Solicitors work in a dispute. A Solicitor will take your word as an instruction and instigate your instruction. Therefore if you inform a Solicitor that a customer owed you £10,000.00 and that the job was 'tip-top', then the Solicitor will write to your customer telling them to pay up or else! Such a threat will either motivate your customer to pay (which is highly unlikely) or get your customer's back up – in which case they may instruct their own Solicitor, informing him that they are dissatisfied with areas of the work.

Expert Witness

Either Solicitor will then instruct an

Expert Witness (such as myself) to inspect the installation and confirm what you or the customer says. By this stage, each Solicitor will have charged £1,500 to £2,000.00 and the Expert Report could be anywhere between £1,000 and £1,500.00. If your job is not quite as tip-top as you said it was – even just marginally – the most likely conclusion will be that you will have to give a discount to your customer (instead of simply putting any little item right) and pay all the fees (it happens all the time) and therefore find yourself several thousand pounds out of pocket for doing little wrong. ALTERNATIVELY...

Mediation

...ALTERNATIVELY, you could employ someone like myself to act as an Evaluative Mediator. Every picture tells a story

Take a look at the photograph here. The conservatory has subsided, not much argument there!

The householder demanded a demolition and rebuild from the window company. The window company instructed me to Mediate. As I am a

Chartered Building Engineer and Expert Witness, I am well versed in assessing damage and specifying repairs. After my inspection, I informed the window company and householder who met me at site that an underpinning schedule would be satisfactory and that no rebuilding would be required.

Taking advice?

The householder wished to remonstrate with me, so I simply advised them to employ his own engineer at a cost of around £1,000.00 and instruct his own Solicitor at a cost of £2,000.00 or so and that I would advise the window company to not carry out any works until these Professionals had been instructed. Lo and behold, the householder suddenly wished to take my advice, especially as the window company were paying my fees and that there would be no cost to the householders if my repair schedule was carried out.

Result

A satisfied window company, a satisfied householder and a dispute resolved for around £1,000.00 Professional Fees in total. So be careful, Solicitors are expensive and are not trained in Dispute Resolution. **i**

Have a Very Merry Christmas and a Happy New Year and if you find yourself in trouble in 2019, phone me first – Don.

