

# Lose-Lose Or Win-Win – What Would You Choose?

Imagine a scenario where you not only don't get paid for your work but you also end up with a Solicitor's letter saying the job you did was substandard – what do you do? asks our technical expert, Don Waterworth.

Imagine this, writes Don Waterworth, you fit windows or doors for a customer. The customer doesn't pay and ultimately you receive a letter from the customer's Solicitor saying that the work you have carried out is poor and the products are substandard.

What would be your next step? Now most people would immediately contact their own Solicitor, and so 'it' begins. 'It' being the game played by Solicitors who have no interest or motivation to assist you in resolving your dispute. Remember, your customer's Solicitor will believe every word that the customer says and your Solicitor will believe every word that you say. Both Solicitors will simply take instructions from their respective clients and continue in that vein. There will be no attempt, usually, to resolve the dispute by reasonable means.

## On the meter

Solicitors bill in 6 minute increments and must bill so many hours per day. You will soon find yourself £2 - £3,000.00 into payments to your Solicitor, often it would appear, without much to show. Every phone call, every letter, every e-mail will be costed

and when you consider that a Solicitor charges £300.00 per hour or so, it would not take long for you to be facing a large bill. If the amount of money you are pursuing is less than £10,000.00, this will be in Small Claims and costs will not be awarded. Both sides having to pay their own Solicitor/Professional fees. You could actually win the case and be out of pocket!

## Association of Dispute Resolution

A better solution is to use ADR which does not involve any Solicitors nor indeed high costs and the Mediator is involved early on with the sole intention of resolving the dispute as quickly and cheaply as possible.

## Hanley Amos Stewart

We have been assisting window companies throughout the UK for over 20 yrs and have resolved hundred's of disputes by Mediation and common sense means. So the next time you have a problem, give us a call on 01942 523702 for an informal chat. It would cost you the price of a phone call and may ultimately save you thousands. 

**Don.**



This article has been authored by our technical writer – Principal Surveyor Don Waterworth of [hanleyamosstewart.co.uk](http://hanleyamosstewart.co.uk)

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Tuesday-Thursday  
10:00am-3:00pm.