

# In Tynwald

5<sup>th</sup> July 2013

I authorise **Peter Karran MHK** to present this petition on my behalf

Signed

*SL Watterson*

Dated

*1/7/13*

The humble petition of

**Sarah Lee Watterson. Flat 1, 32 Christian Road, Douglas, Isle of Man. IM1 2QN.**

## **Sheweth That**

\* Property bought in good faith and in all accordance's with the property buying process but is severely defective/substandard/not sold as advertised. Especially property advertised as a '**brand new, high standard conversion**' is subject to rigorous inspection processes and should be sold, entirely sound, as a result of good inspection regulations and building practices and exactly as advertised.

Where this is shown to not be the case; Clear guidelines, regulations and laws should be (and are currently not) in place allowing for swift and clear legal redress. Where gross negligence and/or fraud has taken place in the building/fitting/conversion/inspection/selling process by builders/developers/estate agents clear laws should exist (and currently do not) to prosecute as a criminal act those who are shown to be responsible. Furthermore whereby such negligent conversion/building/fitting/inspections causes ill health to the occupant, Manx laws should (and do not) exist to prosecute perpetrators as a criminal act.

**\*The laws in the Isle of Man pertaining to property are woefully inadequate. Or, are non-existing, with regard to all aspects of the property process.**

Manx laws should be; updated and/or established in order that 'cowboy' builders and 'cowboy' developers can be easily prosecuted. Advertising of property for sale should be entirely accurate and 'prove able' by both Estate Agent and vendor. Criminal Laws should be put in place to enable swift straight forward Prosecution of those who fail to comply/are found to have been negligent in any regard to this.

\* **Building Regulations** - the clear failure to inspect properly, all aspects of a property should render the Local Authority liable to prosecution and compensation by the purchaser of a defective property. Douglas Corporation cites the 'ambiguous nature of building regulations' for its current poor

operational and inspection processes. It is in fact clear by the existence of specific cases that they fail to operate to satisfactory/good/high standards. Laws should be put in place to enable swift straight forward prosecution of those authorities who fail to provide a good standard of service; this includes record keeping and the complaints procedure currently in place.

\* Laws pertain to the running of a Residential Building Management Company are also vague, out of date or non-existent and/or difficult to enforce and enable developers and owners to act in a fraudulent/non-compliant manner. Employing for example, a banned criminally convicted accountant to prepare company accounts. Criminal Laws should be put in place to enable swift straight forward prosecution of those who fail to comply/are operating fraudulently.

\* Laws should be put in place that allows substantial retrospective compensation from/prosecution of individuals and/or local authorities for failing to provide such laws and regulations and of Builders/developers .

\* Implementation of a Manx Ombudsman pertaining to all aspects of property.

\* Clear accountability/regulations of Estate agents when advertising and selling property and prosecution of same for failure to comply.

\* Vetting of Tax Status of property developers.

Compulsory involvement of and regulation by UK bodies.

## **Wherefore your petitioner seeks that**

The/A select committee (including representation from the UK/EU) investigate the gross absence of and weakness in the laws relating to all property matters. Including but not limited to: converting buildings, building processes, substandard workmanship substandard repairs building regulations, vetting of workmen/inspection processes and standards and the selling processes of the Isle of Man.

**That new Manx laws are established and clear regulations set up pertaining to:**

\*Building Regulations

\*Inspections of all aspect of build/ planning regulations, checks and inspection of all workmen/fitters.

\* Laws regarding the conversion of all (and especially Manx Stone) Buildings.

\*Management Company law and enforcement of.

\*Establishment of Property Ombudsman and compulsory membership of

\*Laws regarding Accountability for breech of/negligence by Workmen/Developers/Local Authority/Estate Agents.

\*Criminal laws regarding substandard property.

\*Criminal laws regarding substandard property that affects health.

\*Investigation in to who at Tynwald and on the IOM is benefiting by the failure to provide such laws.

\*Laws regarding the UK/EU involvement to ensure the IOM is providing adequate and up to date laws for its populace.

All laws regarding the above are established forthwith without ANY ambiguity.

\*And furthermore that developers and local authorities can be held accountable/prosecuted for any gross negligence and wilful avoidance of responsibility.

Signed

A handwritten signature in black ink, appearing to read 'SL Watterson', with a long horizontal flourish extending to the right.

S L Watterson

