

<i>Name of Witness</i>	<b>Raymond John BYRON</b>
<i>Date of Birth</i>	██████████
<i>Address and contact details</i>	██
<i>Occupation</i>	Unemployed Real Estate Agent
<i>Date taken</i>	21/09/2011

### ADDENDUM STATEMENT

I, Raymond John BYRON state:

1. I am making this further statement to clarify some statements made in, and add in some respects to, my statement signed 15 September 2011 ('first statement').
  
2. In respect of paragraph 5 of my first statement, I sent an email to Mr Mario De Leo on 24 May 2011 in which I requested, among other things, a copy of my original insurance policy (a copy of this email is attached to my first statement). Mr De Leo advised, by email to me on 27 May 2011, that his department was unable to provide policy documentation (a copy of this email is attached to my first statement).  
On 31 May 2011, I received a call from a female person named Lois, a Team Leader at RACQ. During that phone conversation, Lois said that she had arranged for a copy of my certificate of insurance to be sent to me. I do not recall receiving a copy of the certificate of insurance. I did not receive, in response to my request, a copy of the RACQ Insurance Household Insurance Policy Product Disclosure Statement. I did receive from RACQ information about renewal of my policy some time in June.
  
3. In respect of paragraph 8 of my first statement, I received the following documentation relating to my insurance claim:
  - a. A scope of works from the Stream Group, by email, on 13 April 2011 (a copy of which is attached to my first statement);

Witness Signature  
Page Number 1 of 5

Signature of officer .....

400 George Street Brisbane  
GPO Box 1738 Brisbane  
Queensland 4001 Australia  
Telephone 1300 309 634  
Facsimile +61 7 3405 9750  
www.floodcommission.qld.gov.au  
ABN 65 959 415 158

b. A remittance advice from RACQ Insurance, dated 10 May 2011, concerning the settlement of my claim. I have today been shown a copy of a letter from Rani, Customer Service Officer, RACQ Insurance, dated 10 May 2011.

I cannot recall ever receiving this letter.

c. A letter from Lois, Team Leader (Household Technical Team), RACQ Insurance, dated 31 May 2011 (a copy of which is attached to my first statement). This letter enclosed a document setting out details of the settlement figure (referred to further at paragraph 14 below).

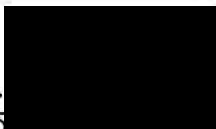
4. In respect of paragraph 10 of my first statement, I have today seen records of RACQ Insurance which show that the phone conversation to which I refer in the first sentence of paragraph 10, occurred on 24 February 2011. That is the only call I recall receiving from RACQ Insurance to update me on the progress of my claim.

I received other calls from RACQ Insurance, but these were in response to contact or requests made by me.

5. On 12 April 2011, I sent an email to Mr Bob Gates of MYI Freemans because I had not received any contact about my claim since he called me to advise me that RACQ had accepted my claim. A copy of this email is attached to this statement.

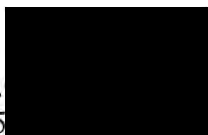
6. In respect of paragraph 12 of my first statement, I attach to this statement copies of email correspondence between me and Ms Diana Pollok on 13 April 2011.

7. In respect of paragraphs 13 and 20 of my first statement, I had tried to ring RACQ on and off between 24 February 2011, when I received the call from RACQ referred to in paragraph 4 above, and 14 April 2011, but aborted the calls after being on hold for up to 10 minutes.



- 8. In respect of paragraphs 14, 15 and 17 of my first statement, Craig from Mainz did further measurements at my house on 15 April. While Craig was at my house, I received a call from Mr De Leo. After Craig was finished, he said he would submit the documentation that day. I called RACQ on 18 April 2011 to find out what was happening with my claim. I received a return phone call from RACQ on 19 April 2011. I did not receive any further contact after this phone call, which prompted me to send the email to which I refer at paragraph 17 of my first statement, on 9 May 2011 (not 10 May 2011, as stated in paragraph 17).
  
- 9. In respect of paragraph 18 of my first statement, I have listened to the recording of the phone conversation to which I refer in paragraph 18. Having listened to the recording, I would not describe the demeanour of the person from RACQ who called me as 'indignant'. I recall that that was how I felt about the phone call at the time it occurred (because of my frustration with the process), although I did not express it at the time.
  
- 10. In respect of paragraphs 19, 20 and 21 of my first statement, I did not agree with Mr De Leo's statement in his email of 10 May 2011 that RACQ and I had 'reached an agreed resolution', because I was not invited to discuss the settlement figure, and I did not know, and had no way of telling, whether the settlement figure would be sufficient to cover the repairs to my property. I had to assume that the settlement figure given to me would be sufficient. I did not believe that Mr De Leo's statement truly represented my position and I expressed this view in my email to him on 11 May 2011 (copies of Mr De Leo's email of 10 May 2011 and my email of 11 May 2011 are attached to my first statement). However, Mr De Leo did not respond to my email, which suggested to me that he had misrepresented the situation. As it turns out, the settlement amount has not proven sufficient to cover the repairs needed at my home. For that reason, I state in paragraphs 2 and 20 of my first statement, that I am not satisfied with the settlement of my claim.

Witness Signature...  
Page Number 3 of 5



Signature of officer .....

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- 11. In respect of paragraph 22 of my first statement, I attach to this statement copies of email correspondence between me and Mr Neumann’s office on 9 May 2011, 10 May 2011, 16 June 2011 and 1 July 2011.
  
- 12. In respect of paragraph 24 of my first statement, I attach to this statement a copy of my email to the Insurance Council of Australia on 30 May 2011.
  
- 13. In respect of paragraph 25 of my first statement, I received an email from Mr De Leo on 27 May 2011 which responded to some of my queries in my email of 24 May 2011, but Mr De Leo did not acknowledge my request for a full internal review of the settlement. A copy of those emails are attached to my first statement. I received a call from Lois on 31 May 2011 in which she acknowledged, and attempted to address, concerns, I had raised in my emails to Mr De Leo on 24 May 2011 and 30 May 2011 (copies of which are attached to my first statement). In addition, during the claims process I viewed a copy of the General Insurance Code of Practice on the Insurance Council of Australia website. I express my opinion in paragraph 25 of my first statement that I do not consider that RACQ followed the standards stipulated in the Code of Practice in my case. However, I understand the effect of section 4 of the Code of Practice.
  
- 14. In respect of paragraph 26 of my first statement, the letter I received from RACQ dated 31 May 2011 enclosed a document setting out the details of the settlement figure. A copy of the Stream report enclosed with the letter of 31 May 2011, is attached to this statement.
  
- 15. In respect of paragraph 37 of my first statement, when I read the submissions of RACQ Insurance and the Insurance Council of Australia, I considered that statements made in those submissions did not reflect my experience of the claims process and what I have heard of the experiences of others. I was expressing my opinion in paragraph 37.

Witness Signature. \_\_\_\_\_  
Page Number 4 of 4



Signature of officer .....

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16. In paragraphs 29 to 36 of my first statement, I am expressing my opinion.

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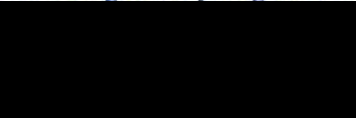
**Raymond John BYRON.**

21 September 2011.

**Justices Act 1886**

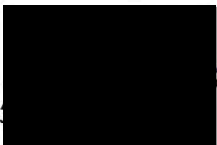
I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated \*\*\*\* September 2011 and contained in the pages numbered 1 to 14 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

..........Signature

Signed at .....Brisbane.....this 21<sup>st</sup> day of.....September.....2011....

Witness Signature.  
Page Number 5 of 1



Signature of officer .....

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**From:** "Ray Byron" [REDACTED]  
**To:** [REDACTED]  
**Sent:** Tuesday, 12 April 2011 1:06 PM  
**Subject:** Inquiry

G'day Bob

Just a quick note to touch base on my insurance claim on my home at [REDACTED] Esk. Qld.

You called me several weeks ago to advise that RACQ had accepted my claim, for which I am grateful, but have heard nothing since from Stream Group on anything further, and was wondering if I should be chasing them up.

I do realise everyone has a lot on their 'plate', but would appreciate any further information you may be able to provide on any progress.

Kind Regards

Ray Byron  
[REDACTED]

ESK. Qld. 4312.

Mob: [REDACTED]

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**From:** "Ray Byron" [REDACTED]  
**To:** "Diana Pollok" [REDACTED]  
**Sent:** Wednesday, 13 April 2011 1:34 PM  
**Subject:** Re: Claim Authorisation, Ref: [REDACTED]

Diana, sorry, I just realised I didn't include the reference no when transferring the money, so I've probably mucked up your system. But it has been paid.

Ray Byron.

----- Original Message -----

**From:** "Diana Pollok" [REDACTED]  
**To:** [REDACTED]  
**Sent:** Wednesday, April 13, 2011 10:07 AM  
**Subject:** Claim Authorisation, Ref: [REDACTED]

- > Dear Raymond Byron,
- >
- >
- > RE: CLAIM AUTHORISATION - REFERENCE: [REDACTED]
- >
- >
- > As discussed please find attached the Scope of Works for your insurance
- > claim.
- >
- > Prior to the repairs beginning we require an acceptance of the attached
- > Scope of Works and payment of the policy excess.
- >
- > Acceptance of attached scope:
- > If you accept the attached Scope of Works, please reply to this email
- > stating, I
- > accept this Scope of Works and would like to proceed with the repairs.
- >
- > Non acceptance of attached scope:
- > If you do not accept the attached Scope of Works, please contact the
- > Stream claims team by replying
- > to this email stating your concerns or call Stream on 1300 766 980 to
- > discuss.
- >
- > Policy Excess:
- > Your policy excess can be paid by credit card by calling 1300 766 980 or
- > other payment options are contained within the attached document.
- >
- > For any other inquiries relating to your claim please call the Stream
- > Group Claims Team on Ph: 1300 766 980 or e-mail [admin@streamgroup.com.au](mailto:admin@streamgroup.com.au)
- > quoting Ref: [REDACTED]
- >
- >
- > Kind Regards,
- >

- > Stream Group
- > Claims Team
- >



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**From:** "Ray Byron" [REDACTED]  
**To:** "Diana Pollok" [REDACTED]  
**Sent:** Wednesday, 13 April 2011 1:21 PM  
**Subject:** Re: Claim Authorisation, Ref: [REDACTED]

Thank you Diana, I have perused the Scope of Works attached.

I accept this Scope of Works and would like to proceed with repairs, providing the necessary adjustments are made to include the front entry foyer and front glass panel doors and surrounds in the Scope of Works. This area has not been included in the report, and will require adjustments to be made accordingly, as discussed in our telephone conversation this date.

Kind Regards  
Raymond Byron  
[REDACTED]  
ESK. 4312.

----- Original Message -----

**From:** "Diana Pollok" [REDACTED]  
**To:** [REDACTED]  
**Sent:** Wednesday, April 13, 2011 10:07 AM  
**Subject:** Claim Authorisation, Ref: [REDACTED]

- > Dear Raymond Byron,
- >
- >
- > RE: CLAIM AUTHORISATION - REFERENCE: [REDACTED]
- >
- >
- > As discussed please find attached the Scope of Works for your insurance
- > claim.
- >
- > Prior to the repairs beginning we require an acceptance of the attached
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- > Non acceptance of attached scope:
- > If you do not accept the attached Scope of Works, please contact the
- > Stream claims team by replying
- > to this email stating your concerns or call Stream on 1300 766 980 to
- > discuss.
- >
- > Policy Excess:
- > Your policy excess can be paid by credit card by calling 1300 766 980 or
- > other payment options are contained within the attached document.

- >
- > For any other inquiries relating to your claim please call the Stream
- > Group Claims Team on Ph: 1300 766 980 or e-mail [admin@streamgroup.com.au](mailto:admin@streamgroup.com.au)
- > quoting Ref: [REDACTED]
- >
- >
- > Kind Regards,
- >
- > Stream Group
- > Claims Team
- >

---

**From:** "Ray Byron" [REDACTED]  
**To:** "Diana Pollok" [REDACTED]  
**Sent:** Wednesday, 13 April 2011 1:28 PM  
**Subject:** Re: Claim Authorisation, Ref: [REDACTED]

Diana, the \$300 Excess has now been paid.

Regards  
Ray Byron

----- Original Message -----

**From:** "Diana Pollok" [REDACTED]  
**To:** [REDACTED]  
**Sent:** Wednesday, April 13, 2011 10:07 AM  
**Subject:** Claim Authorisation, Ref: [REDACTED]

> Dear Raymond Byron,  
>  
>  
> RE: CLAIM AUTHORISATION - REFERENCE: [REDACTED]  
>  
>  
> As discussed please find attached the Scope of Works for your insurance  
> claim.  
>  
> Prior to the repairs beginning we require an acceptance of the attached  
> Scope of Works and payment of the policy excess.  
>  
> Acceptance of attached scope:  
> If you accept the attached Scope of Works, please reply to this email  
> stating, I  
> accept this Scope of Works and would like to proceed with the repairs.  
>  
> Non acceptance of attached scope:  
> If you do not accept the attached Scope of Works, please contact the  
> Stream claims team by replying  
> to this email stating your concerns or call Stream on 1300 766 980 to  
> discuss.  
>  
> Policy Excess:  
> Your policy excess can be paid by credit card by calling 1300 766 980 or  
> other payment options are contained within the attached document.  
>  
> For any other inquiries relating to your claim please call the Stream  
> Group Claims Team on Ph: 1300 766 980 or e-mail [admin@streamgroup.com.au](mailto:admin@streamgroup.com.au)  
> quoting Ref: [REDACTED]  
>  
>  
> Kind Regards,  
>  
> Stream Group  
> Claims Team

>

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**From:** "Ray Byron" [REDACTED]  
**To:** [REDACTED] (S. Neumann, MP)" [REDACTED]  
**Sent:** Tuesday, 10 May 2011 1:32 PM  
**Subject:** Re: Racq

[REDACTED], I had a call from Kylie earlier to advise that you had fwd a copy of my email to ICA, and I am very grateful to you all for that.

It appears to have worked, as a little while ago I received a call from RACQ, ( the little lady not very happy either, but she put on a polite front) advising that a payout of \$63,97048 would be in my bank a/c in 3 days.

The breakdown for that was:-

Fencing replacement .....	5309.43
Main Building repairs.....	49559.77
Laundry Repairs.....	9101.28
<b>Total</b>	<b>63,970.48</b>

The laundry repairs are separate because they were originally left off the Scope of Works they sent me. They would never tell me the quotes for the job, so I don't really know whether that is a fair price or not, it seems a bit low when I compare quotes for smaller 2 bedroom neighbouring cabins in the caravan park beside me (\$78,000) but not much I can do about anyway I guess.

Just happy to be able to start getting things back in order, so I can settle poor old mum down and help her get her life back again.

I thank you all for your help, I really do appreciate it.

Kind Regards  
Ray Byron

----- Original Message -----

**From:** [REDACTED] (S. Neumann, MP)  
**To:** Ray Byron  
**Sent:** Monday, May 09, 2011 4:57 PM  
**Subject:** RE: Racq

Thanks Ray – We are forwarding all this information to the Assistant Treasurer in our ongoing efforts! I wish we could do more, quite frankly! Jen

---

**From:** Ray Byron [REDACTED]  
**Sent:** Monday, 9 May 2011 4:44 PM  
**To:** Howard, Jennifer (S. Neumann, MP)  
**Subject:** Racq

Jennifer, I had spoken to you ages ago about the flood related matter, and subsequent claim with Racq.

A short while ago, I cc'd an email that I'd sent to them, just as a matter of courtesy and interest.

I don't expect any participation from Shayne, as there is nothing he can do anyway, these 'people' are a law unto their own.

It just may be of use to you in some way.

Kind Regards

Ray Byron

Mob: [REDACTED]

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**From:** "Ray Byron" [REDACTED]  
**To:** "Neumann, Shayne (MP)" [REDACTED]  
**Sent:** Friday, 1 July 2011 6:36 AM  
**Subject:** Re: Insurance

Shayne, further to my last email which I attached copies of all correspondence regarding my insurance claim and the 'progress' of it throughout, I would just like to advise of and include a recent development.

Notwithstanding all the previous records, at 9.08am on 28/5/11, I received a phone call from Streamgroup - completely 'out of the blue'.

In his opening 'address' the male caller said "Mr Raymond Byron"? I said "yes speaking" he said "this is (I missed his name) from Streamgroup, and I'm calling to advise that RACQ has accepted your claim and we are now ready to proceed with organising repairs."

As you can imagine, I was flabbergasted - I told him my name and address asked him to confirm who it was he was actually for, to which he replied "yes that's correct, we are ready to proceed with your claim!" In hindsight I simply should have gone along with all, but was so taken by surprise, I simply told him that RACQ had paid me out for the claim and asked him to repeat his name.

He failed to repeat his name but added that they had not been informed by RACQ, he would look into the matter, thanked me for the information - and hung up.

Mate I'd respectfully suggest, that if ever there was a claim worth investigating from beginning to end - to establish how these companies have been 'working' in securing their figures for shonky payout figures to helpless people in a long endured state of desperation - this one is it.

It is criminal behaviour in the extreme - and should be investigated and dealt with as such.

King Regards  
Ray Byron  
[REDACTED]

ESK. 4312.  
[REDACTED]

----- Original Message -----

**From:** Neumann, Shayne (MP)  
**To:** [REDACTED]  
**Sent:** Thursday, June 16, 2011 3:31 PM  
**Subject:** Insurance

Dear Ray

Keeping the Insurance Industry Honest and Accountable

**Insurance companies will be scrutinised as a result of their response to our summer of natural disasters.**

I am pleased to announce that the Federal Government has heard of your experiences with your insurance companies this year and have now responded. From what I have seen and what you have told me, it was clear that the insurance industry needed to be more honest and accountable. I have spoken at length with the Prime Minister, Julia Gillard, and Assistant Treasurer, Bill Shorten, over the past few months and they have agreed to establish a Parliamentary inquiry into the responsiveness of the insurance industry during natural disasters;

an inquiry I lobbied for because of what I saw first hand.

Not one insurance company came to any of the three insurance forums I held following the floods, to face their policy holders and answer their questions. I have spent the past months questioning the capacity of the insurance industry to respond quickly and in good faith to the high volumes of claims. My office was overwhelmed by the amount of people in Ipswich and the Somerset region who have suffered as a result of the inconsistent and slow response of some insurance companies.

The industry's responsiveness is now the subject of a new inquiry by the House of Representatives Standing Committee on Social Policy and Legal Affairs, of which I am a member. I have been concerned about the length of time it has taken for the insurance industry to process many claims, and about the claims handling process more generally.

I am also concerned about the widespread mismatch between what people thought their insurance policies covered, and the outcomes of their claims.

The inquiry will examine the insurance industry in respect to extreme weather events. In particular, the Committee will consider:

- the information provided to consumers about claims processing arrangements
- the timeliness of claims processing
- the impact of third-party consultants on timeframes for claims processing, and
- external and internal dispute resolution processes.

As part of the inquiry, the Committee will be conducting an online survey in order to assess issues concerning disaster-affected communities with respect to insurance claims.

The survey gives policy-holders who have made a disaster-related claim in the past five years the opportunity to comment on the coverage of their insurance policy, the adequacy of the information provided when choosing their policy, and the handling of their insurance claim.

I urge all home and business policy-holders to visit [www.aph.gov.au/house/committee/spla/insurance/index.htm](http://www.aph.gov.au/house/committee/spla/insurance/index.htm) to complete the survey. We want to find innovative ways to bring policy holders and insurers together to achieve a better outcome for all parties.

The Committee will be making visits to several affected communities around Australia and holding public hearings in the second part of 2011, and anticipates reporting its findings in early 2012. For the full terms of reference, please visit the Committee's website at [www.aph.gov.au/house/committee/spla/insurance/index.htm](http://www.aph.gov.au/house/committee/spla/insurance/index.htm).

Please note that the Committee cannot investigate individual claims. However, I will continue to offer my support for your claims as they are challenged through Legal Aid.

Should you wish to discuss this further, or if there are any Federal Government matters I may



assist you with please do not hesitate to contact my office on [REDACTED] or email me at [REDACTED]

Regards

Shayne

---

**Shayne Neumann MP**

Federal Member for Blair

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**From:** "Ray Byron" [REDACTED]  
**To:** [REDACTED]  
**Sent:** Monday, 30 May 2011 9:20 AM  
**Subject:** Fw: URGENT URGENT RE: Byron, Raymond - [REDACTED]

Dear Sir/Madam

Below is a record of the only correspondence I have ever received from RACQ on my claim for flood damage to my home at [REDACTED] Esk.

We pay our Premiums in expectation of receiving the assistance and coverage we are promised - when it is needed - without having to 'fight' for we are entitled to.

My dealings with RACQ have provided a very clear indication of absolutely no concept whatsoever of the effect 'decisions' may have on the lives and emotional well being of the people involved in tragedies beyond their control.

I believe your office has previously been provided with a copy of my original email to RACQ dated 10/5/11, and all subsequent correspondence can be provided as an attachment to return email, if required.

On 13/5/11, my bank received a payout figure of \$63,970.42 on my claim, based on a Scope of Works from Streamgroup.

To my knowledge there are several items of repair missing or omitted from that Scope of Works:-

- 1.. 1.7m x 2.1m Front entrance door and surrounds
- 2.. 3.0m x 1.85m front entrance foyer walls and tiles
- 3.. 1.7m x 21.m set of 2 bi-folding doors to dining room
- 4.. 80m side fencing joining unused road/reserve (continuation of [REDACTED]) non-shared
- 5.. 80m side fencing adjoining neighbour ([REDACTED]) half-shared
- 6.. Replacement of previously fitted insulation batts to the walls
- 7.. Laundry area (which was the only item listed as included in the payout figure received)

I have never received a 'revised' copy of that Scope of Works, nor been advised on what happened with the missing items of expense and repair.

In fact I have never received any correspondence or information from RACQ on my claim, other than a Remittance Advice date 10/5/11.

Having 'had enough' of the mind games and total disrespect for human rights, this information is forwarded to your office simply as an example of what has transpired in my individual case.

Ordinary people experiencing heartache and suffering as a result of these tragedies, and while attempting to make the best of a bad situation, are forced to contend with repulsiveness and 'neglect' - which sadly is now 'what we all have come to expect and in fact receive' from our insurance company in the 'unfortunate' event of a claim.

It is absolutely disgusting.

Kind Regards

Ray Byron

ESK. 4312.

Mob: [REDACTED]

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----- Original Message -----

From: "Ray Byron" [REDACTED]

To: "DE LEO, Mario" [REDACTED]

Cc: [REDACTED]; "Diana Pollok"

Sent: Monday, May 30, 2011 8:54 AM

Subject: Re: URGENT URGENT RE: Byron, Raymond - [REDACTED] (our ref:

> Mr Mario De Leo

>

> On 10/5/11, I was 'advised' by your office of a payout figure - without  
> 'discussion'.

> In an email at 2.59pm that day, you chose to 'present' that situation as  
> having "reached an agreed resolution with Mr Byron").

>

> I received no acknowledgement to my reply dated 11/5/11, in that regard .

>

> After waiting two weeks for a reply, on 24/5/11, I forwarded a relatively  
> simple, and quite logical request, for information still not provided -  
> and an Internal Review.

>

> I consider your repulsive response to that request as a designed and  
> worded attempt at treating me with disdain - or in more direct terms - as  
> a fool.

>

> Given the nature of origin of this and many other claims, and the human  
> suffering involved along the way - that disgusting attitude by a "Team  
> Leader," can only bring speculation as to the depth of it, within the  
> Household Claims Department of RACQ - I find that very disturbing.

>

> As a matter of course, my concerns will now be forwarded to the Insurance  
> Council of Australia, along with an invitation for a representative to  
> visit Esk - prior to my forwarding a full submission to the Qld Floods  
> Commission of Inquiry.

>

> Regards

> Ray Byron

>

>

> ----- Original Message -----

> From: "DE LEO, Mario" [REDACTED]

> To: "Ray Byron" [REDACTED]

> Sent: Friday, May 27, 2011 3:50 PM  
> Subject: RE: URGENT URGENT RE: Byron, Raymond - [REDACTED] (our ref:  
> [REDACTED])

> Mr Ray Byron,

> My apologies for the delayed response regarding your email.

> I can confirm to you that the amount of \$63,970.42 which is based on  
> Stream's scope is inclusive of all required additional works in order to  
> repair the damage coverable under this claim.

> In regards to your requests, Stream have advised they have obtained their  
> quotations via their on-line database and as such do not have a hard copy  
> other than the report that was provided to us regarding their  
> recommendations.

> In regards to your policy payments, your policy was still in force and in  
> the case of an Insured Event eg Storm, Malicious Damage, Impact etc you  
> would still be able to make a claim.

> Unfortunately we are unable to provide you with the policy documentation  
> from our department due to privacy reasons however if you contact 13 19 05  
> or go to your nearest branch they will be happy to print out or send you a  
> copy.

> If you have any further enquiries, please call me on [REDACTED]

> Regards,

> Mario De Leo  
> Household Claims - Team Leader

> PO Box 4, Springwood, Qld, 4127  
> 2649 Logan Road Eight Mile Plains, Qld, 4113

> Phone: [REDACTED]

> Email: [REDACTED]

> -----Original Message-----

> From: Ray Byron [mailto:[REDACTED]]  
> Sent: Tuesday, 24 May 2011 10:34 AM  
> To: DE LEO, Mario; [REDACTED]  
> Cc: cchhinbound  
> Subject: Re: URGENT URGENT RE: Byron, Raymond - [REDACTED] (our ref:  
> [REDACTED])

> Mr Mario De Leo - RACQ

> I advise with thanks, receipt of a cheque from Streamgroup for \$300 on  
> 17/5/11 as reimbursement of Policy excess paid on 12th April 2011.

> It is also with thanks that I advise receipt of a bank transfer to the

> amount of \$63,670.42 representing the RACQ Policy payout figure dated  
> 12/5/11, for damages to my home at [REDACTED] Esk, which permits  
> immediate action on a resolution to the concerning family circumstances  
> outlined in previous correspondence.

>  
> However, having received no reply to my email on 11/5/11, confirming if  
> adjustments required relevant to omissions and discrepancies contained in  
> the original Scope of Works, were in fact included in the payout figure  
> received, I tend to surmise the feeling of being ignored, an approach I  
> don't take kindly to, if indeed that is the case.

>  
> In addition and with respect, I bring to your attention a cross reference  
> on  
> records relevant to six RACQ claims on much smaller 1 and 2 bedroom  
> cabins,  
> located on very small allotments in [REDACTED] adjacent to my home on  
> the corner of [REDACTED], would perhaps indicate to me  
> some  
> irregularities or omissions may still exist regarding Settlement of my  
> claim  
> with RACQ.

>  
> Those facts considered, I would request this date, a full Internal Review  
> by  
> RACQ of my Insurance Claim no. [REDACTED].

>  
> I would also be grateful to receive by return email:-

- >  
> 1. copies of any quotes relevant to my claim that may assist in  
> expediting an immediate conclusion to this matter  
> 2. a copy of my original Policy no. [REDACTED], (lost to the floods  
> on  
> 10/1/11)  
> 3. confirmation from RACQ on the current status of that Policy - as  
> full monthly premiums have continued to be debited from my bank since  
> 10/1/11 to 18/5/11.

>  
>  
> Kind Regards

>  
> Ray Byron

> [REDACTED]  
> ESK. 4312.  
> Mob: [REDACTED]

>  
>  
> ----- Original Message -----

> From: "Ray Byron" [REDACTED]  
> To: "DE LEO, Mario" [REDACTED]  
> [REDACTED]  
> Cc: "cchhinbound" [REDACTED]  
> Sent: Wednesday, May 11, 2011 8:04 AM  
> Subject: Re: URGENT URGENT RE: Byron, Raymond - [REDACTED] (our ref:  
> [REDACTED])

>  
 >> Respectfully addressing all concerned,  
 >>  
 >> At 12.54pm 10/5/11, I received a call from a young lady from RACQ, and  
 >> was  
 >> advised that I would receive a payout figure of \$63,970.48, transferred  
 >> to  
 >> my nominated bank account within 3 days.  
 >> I'm not sure receiving that advice could be perceived as having "reached  
 >> an  
 >> agreed resolution" as I was not invited to participate in any discussion  
 >> on  
 >> the matter.  
 >>  
 >> The advice was - the amount represented :- Replacement of  
 >> fencing..... 5309.43  
 >> Main  
 >> dwelling repairs ..... 49559.77  
 >>  
 >> Repairs  
 >> to laundry area ..... 9101.28  
 >>  
 >> \_\_\_\_\_  
 >> Total Settlement \$ 63,970.48  
 >>  
 >> Less \$300.00 Insurance Excess  
 >> (\$300 paid to Streamgroup on 13/4/11, apparently to be refunded by  
 >> cheque).  
 >>  
 >>  
 >> I assume that figure is considered fair and appropriate by Mr De Leo to  
 >> secure the repairs required to my home, and can only rely on his  
 >> judgement  
 >> in that regard.  
 >>  
 >> Since 10/1/11, premiums have continued to be paid to RACQ on the insured  
 >> value of \$237,000. I have only asked for a sufficient payout figure to  
 >> effect repairs to my home to return it to what it was before the damage  
 >> on  
 >> that date. I expect, and anticipate that is what I have received.  
 >>  
 >> Having never been privy to any of the 3 quotes originally tendered for  
 >> the  
 >> repairs to my home, a copy of the Scope of Works received 13/4/11 has  
 >> been  
 >> attached for information.  
 >>  
 >> It should be noted that:- front entrance door and foyer area - entire  
 >> laundry area - bi-folding doors to dining room - approximately 80 meters  
 >> of  
 >> unshared fencing - were omitted from that document.  
 >> I note that repairs to the laundry area have been included in the above  
 >> payout figure, and can only assume the other itemised repairs are also  
 >> included.

>>  
>> As it may be appreciated, my priority concern at this point in time is  
>> rendering my home liveable as quickly as possible, and work is now under  
>> way.  
>>  
>> I thank you all for your assistance,  
>>  
>> Kind Regards  
>>  
>> Ray Byron  
>> ----- Original Message -----  
>> From: "DE LEO, Mario" [redacted]  
>> To: "[redacted]"  
>> [redacted]  
>> Cc: "cchhinbound" [redacted]  
>> Sent: Tuesday, May 10, 2011 2:59 PM  
>> Subject: RE: URGENT URGENT RE: Byron, Raymond - [redacted] (our ref:  
>> [redacted])  
>>  
>>  
>> Good Afternoon Sharon,  
>>  
>> Please be advised we have reached an agreed resolution with Mr Byron in  
>> the  
>> form of a Cash Settlement for all required building repairs.  
>>  
>> Kind Regards,  
>>  
>> Mario De Leo  
>> Household Claims - Team Leader  
>>  
>>  
>> PO Box 4, Springwood, Qld, 4127  
>> 2649 Logan Road Eight Mile Plains, Qld, 4113  
>>  
>> Phone: [redacted]  
>> Email: [redacted]  
>>  
>>  
>> -----Original Message-----  
>> From: [redacted] [mailto:[redacted]]  
>> Sent: Tuesday, 10 May 2011 2:54 PM  
>> To: DE LEO, Mario; [redacted]  
>> Cc: cchhinbound; [redacted]  
>> Subject: URGENT URGENT RE: Byron, Raymond - [redacted] (our ref:  
>> [redacted])  
>> Importance: High  
>>  
>>  
>> It is with concern that we have read the attached e-mail from your  
>> Insured,  
>> Ray Byron.  
>> Please treat this matter as urgent.  
>> We would recommend that Mainz Developments be authorised to commence the  
>> building restoration immediately to enable Mr Byron and his family to

>> return  
>> to a normal way of living, especially taking into account his mother's  
>> state  
>> of health and the winter weather, which is fast approaching.  
>> Should the building require further inspection prior to commencement of  
>> repairs, please advise if you require an Assessor from our office to  
>> attend.  
>> Immediate assistance to this family is of paramount importance.  
>>  
>> (See attached file: E-mail from Ray Byron.pdf)  
>>  
>>

>> Regards,

>> Bob Gates

>> [REDACTED]  
>>  
>>  
>> MYIFreemans Ltd  
>> 1/382 Ruthven Street  
>> Toowoomba QLD 4350  
>> Ph: [REDACTED]  
>> Email: [REDACTED]  
>>  
>>

>> Caution: This email is intended only for the addressee(s) and may contain  
>> material which is confidential or subject to legal privilege. If you have  
>> received this message in error, please delete it immediately and advise  
>> the  
>> sender by return email.  
>>

>> This communication has been sent on behalf of RACQ Insurance Limited  
>> [RACQI]. The information contained in this communication may be  
>> privileged  
>> and confidential. If you are not the intended recipient, any use,  
>> disclosure  
>> or copying of this communication is expressly prohibited.  
>> If you have received this communication in error, please delete it  
>> immediately. RACQI and its associated entities do not warrant or  
>> represent  
>> that this communication [including any enclosed files] is free from  
>> electronic viruses, faults or defects.  
>>  
>  
>

> This communication has been sent on behalf of RACQ Insurance Limited  
> [RACQI]. The information contained in this communication may be  
> privileged and confidential. If you are not the intended recipient, any  
> use, disclosure or copying of this communication is expressly prohibited.  
> If you have received this communication in error, please delete it  
> immediately. RACQI and its associated entities do not warrant or  
> represent that this communication [including any enclosed files] is free  
> from electronic viruses, faults or defects.



**Subsequent report**

To : RACQ Insurance Limited  
 Attn : Claims Officer  
 Delivery : stream@myifreemans.com.au  
 stream@myifreemans.com.au

Date : 31/05/2011

Claim Ref : [REDACTED]

Stream Ref: [REDACTED]

Consultant : Brett Holt

**RESPONSE DETAILS**

Date of Instructions : 08/02/2011  
 First Contact With Insured : 08/02/2011  
 Date of Inspection : 21/02/2011

**CLAIM DETAILS**

Date of Loss : 10/01/2011  
 Insured Name : Raymond Byron  
 Situation of Loss : [REDACTED]  
 Esk 4312

Policy No :  
 Policy Type :  
 Inception : 00/00/0000  
 Excess : \$0.00

**SUMS INSURED & RESERVE****Sums Insured**

Building: \$237,000.00                      Contents: \$0.00                      Other: \$0.00

**Reserve**

	Previous Reserve	Current Reserve	Previous Payment	Payments This Report	Outstanding Reserve
Building	55,486.20	55,081.36	-	-	55,081.36
Contents	-	-	-	-	0.00
<b>Other</b>					
Dividing Fence	2,698.85	2,698.85	-	-	2,698.85
Professional Fees	-	-	-	-	0.00
<b>Sub Total</b>	58,185.05	57,780.21	-	-	57,780.21
<b>Less Excess</b>	0.00	0.00	-	-	0.00
<b>Totals</b>	58,185.05	57,780.21	0.00	0.00	57,780.21

## CLAIM DETAILS

### Further Developments

We report now to clarify works which were not included or correctly scoped in the first instance, and are additional to the original scope of works. These costs are based on the quote supplied by the successful tenderer, Mainz Insurance Services, all except the left hand side shared fence as detailed below.

#### Laundry

Details as per scope sent to RACQ, but Mainz cost is \$3054.74 including builder's margin.

#### Front entry

Details as per scope sent to RACQ, but Mainz cost is \$3435.96 including builder's margin.

#### Fencing

(Front and rear at 20m each, already in original scope of works): \$877.80 as quoted by Mainz

Right hand side, 80m, very high cost due to rough terrain: details as per additional scope, quoted by Mainz at \$4514.40.

Left hand side, based on our consultant's estimation of costs as is usual when cash settling shared boundary fencing:

- \$ 270.00 = 6 hours at \$45 per hour to remove existing fencing
- \$1000.00 = materials \$12.50 x 80 metres
- \$1000.00 = labour at \$12.50 for 80 metres
- \$ 183.50 = waste disposal
- \$2453.50 - subtotal
- \$ 245.35 = GST
- \$2698.85 - Total estimate repair cost of fence
- x 50% as shared, total amount payable for shared left side fence = \$1349.43.

As the successful tenderer, Mainz quoted \$49944.31 for the job as per the original scope of works. To this must be added the laundry, the front entry, and the right hand side fencing (left side cash settlement, front and rear in main scope), bringing the total to \$60949.41 if repairs were to be authorised and the left side cash settled with the insured. Or, a total of \$62298.84 for RACQ to cash settle the claim in it's entirety.

### General Comments

If you require further clarification, please phone the writer to discuss.

## NEXT ACTION

**Insured:** Await claim settlement.  
**Stream:** Await further instructions.  
**Your Office:** Provide advise regarding closing our file.

Diana Pollok

Stream BuildAssist Claims Team.  
Phone: 1300 766 980  
Fax: 1300 766 982  
Email: help@streamgroup.com.au

*Estimates before tender  
pricing received.*

### SCOPE OF WORKS

#### LAUNDRY

3m X 1.6M x 2.7m

No	ITEM NAME	MATERIALS		LABOUR	
		QTY	UNIT	QTY	UNIT
1	Plumbing	-	-	-	-
	(a) Disconnect laundry tub and store on site for re-use. Reinststate existitng laundry tub upon completion of repairs.	1.00	Lot	2.00	hrs
2	Carpentry	-	-	-	-
	(a) Replace fly screen to laundry door.	2.00	lm	2.00	hrs
	(b) Shelving remove and replace including cleaning	4.00	lm	2.00	hrs
	(c) Supply and fit all associated timber mouldings to match existitng profile.	24.00	lm	3.00	hrs
3	Dry Lining/Plastering	-	-	-	-
	(a) Remove damaged section of plasterboard walling. Prepare framework, supply and fit new plasterboard to walling.	9.00	m2	9.00	m2
4	Painting	-	-	-	-
	(a) Repaint walls, including all associated timber mouldings to match existing finishes.	20.00	m2	4.00	hrs
	(b) Paint new door, including jamb to match existing finishes.	3.00	Item	4.00	hrs

**Total** \$2,002.44

**Grand Total** \$ 2,002.44

## SCOPE OF WORKS

### EXTERNAL WORKS

No	ITEM NAME	MATERIALS		LABOUR	
		QTY	UNIT	QTY	UNIT
1	Fencing	-	-	-	-
	(a) Chain Wire 1000	160.00	lm	160.00	lm
<b>Total</b>					\$9,504.00
<b>Grand Total</b>					<b>\$ 9,504.00</b>

### SCOPE OF WORKS

#### FRONT ENTRY

Tiles are drummy

Front door completely water damaged

No	ITEM NAME	MATERIALS		LABOUR	
		QTY	UNIT	QTY	UNIT
1	Tiling	-	-	-	-
	(a) Remove and replace	6.00		6.00	m2
2	Carpentry	-	-	-	-
	(a) Remove existing front entry door and supply and fit new front entry door to match as close as possible to existing, re-using all door hardware.	3.00	Item	6.00	hrs
	(b) Remove and replace front entry door and side lights	1.00		1.00	ea

**Total** \$4,527.60

**Grand Total** \$ 4,527.60

Stream ref [REDACTED] RACQ [REDACTED] Raymond Byron

Following is Mainz's split up of costs for the main estimate. Despite some of these amounts varying quite a lot compared that of our consultant's estimates, Mainz would have done the works as quoted below, as per the detailed scope of works sent to Lois at RACQ:

SUMMARY	MATERIALS (\$)	LABOUR (\$)	SUB-TOTAL (\$)	BLD MARGIN (%)	BLD MARGIN (\$)	GST (\$)	TOTAL (\$)
ENTRY GATE	500.00	100.00	600.00	14.00	84.00	68.40	752.40
AIR CONDITIONING	5000.00	500.00	5500.00	14.00	770.00	627.00	6897.00
FENCING	500.00	200.00	700.00	14.00	98.00	79.80	877.80
BUILT IN FLOOR COVERS	400.00	240.00	640.00	14.00	89.60	72.96	802.56
STRIP OUT	600.00	600.00	1200.00	14.00	168.00	136.80	1504.80
PRELIMINARIES	5600.00	0.00	5600.00	14.00	784.00	638.40	7022.40
EXTERNAL WORKS	775.00	325.00	1100.00	14.00	154.00	125.40	1379.40
BATHROOM	2160.00	890.00	3050.00	14.00	427.00	347.70	3824.70
LIVING AREA	1885.00	1110.00	2995.00	14.00	419.30	341.43	3755.73
KITCHEN	5588.00	1025.00	6613.00	14.00	925.82	753.88	8292.70
TOILET	590.00	390.00	980.00	14.00	137.20	111.72	1228.92
BEDROOM 1	1445.00	810.00	2255.00	14.00	315.70	257.07	2827.77

VANITY ROOM	1755.00	480.00	2235.00	14.00	312.90	254.79	2802.69
BEDROOM 3	1225.00	775.00	2000.00	14.00	280.00	228.00	2508.00
BEDROOM 2	1205.00	765.00	1970.00	14.00	275.80	224.58	2470.38
DINING AREA	540.00	350.00	890.00	14.00	124.60	101.46	1116.06
HALLWAY	900.00	600.00	1500.00	14.00	210.00	171.00	1881.00

**GRAND TOTAL (\$)** 49944.31

*Building repairs  
incl. front/rear  
fencing*







VANITY ROOM	1755.00	480.00	2235.00	14.00	312.90	254.79	2802.69
BEDROOM 3	1225.00	775.00	2000.00	14.00	280.00	228.00	2508.00
BEDROOM 2	1205.00	765.00	1970.00	14.00	275.80	224.58	2470.38
DINING AREA	540.00	350.00	890.00	14.00	124.60	101.46	1116.06
HALLWAY	900.00	600.00	1500.00	14.00	210.00	171.00	1881.00

GRAND TOTAL (\$)

49944.31

*Building repairs  
incl. front/rear  
fencing*

*Be*