

Ms Hathaway  
Martin Russell Jones  
5 Watford Way  
Hendon Central  
London NW4 3JN

Ms Noëlle Rawé  
3 Jefferson House  
11, Basil Street  
London SW3 1AX

19 January 1992

Ms Hathaway,

**Your failure to act has caused additional damage to my flat, and ruined a day of my annual leave**

Around midnight on Sunday 29 December 1991 water started dripping through one of the light fittings in my bathroom ceiling. Having switched off the electricity, I removed the spotlight which resulted in a glass full of water falling on me.

Until mid-morning when Mr McKay closed the overflow for the toilet in the flat above, approximately one and a half pint of water fell from the ceiling.

I spent all night, and part of the following morning, in a state of considerable anxiety wondering whether the flow of water might suddenly get worse.

Your secretary Brenda managed to find a plumber who, after several calls from me, and then, I understand, from Brenda, eventually turned up at 18h. In other words, I spent a whole day of my annual leave, with partial electricity, waiting for him, which completely ruined my plans for the day. (At least he came, and was very professional. I was also grateful for Brenda's help, and phoned her the following day to say so).

**I hold you personally responsible for all this aggravation, the stress and anxiety that I have suffered because IT WAS DUE TO YOUR FAILURE TO ACT:**

- On 3rd December I told Mr McKay that water stains had appeared on my bathroom ceiling, literally within the previous 24 hours, and that I could hear water dripping in the ceiling.
- He reported it to you on the same day, entering it in his log book. He also asked the person who lives above my flat whether he had let water overflow. He had not, and let Mr McKay inspect the bathroom to confirm his statement. No sign on the floor of an overflow.
- I confirmed the appearance of the water stains to you in my letter of 8 December, asking what actions would be taken.
- A week or so later, I again told Mr McKay that I could hear water dripping. Apparently, he discussed it with you.

In spite of all of this, **NO ACTION WHATSOEVER WAS TAKEN.** No plumber was called in to investigate the cause of the dripping.

I accept that pipes can leak, overflows fail to function, these things happen. But what I cannot accept is your failure to act once the problem has been reported.

**For 26 days water was let to drip in the ceiling.** Because of your inertia considerably more damage has been caused than would otherwise have been the case: the ceiling was soaking wet which led part of it to crumble.

Brenda can tell you that by the time I was able to talk to her, I was reduced to sobbing.

I cannot take any more of the distress that your failure to act is causing me. I have spent in excess of £25,000 refurbishing my flat, as well as a lot of time and effort. It breaks my heart to see it falling into decay due to lack of action on your part:

- the appearance of the kitchen ceiling is ruined by cracks and deposits caused by dampness. I also live in fear that the tiling and kitchen cupboards may soon start to also be affected by dampness (as happened previously);
- I had to rip out part of the skirting board in the sitting area because water penetration had caused it to rot;
- dampness caused part of the wall paper in that area to come off the wall;
- the bathroom ceiling is stained and cracked in many places; one of the spot light is hanging down because part of the ceiling has crumbled away.

In addition, after more than two years asking for it, nothing has yet been done to the outside wall either.

To my knowledge, actions that have been taken on your part amount to:

- Some correspondence, including in the last few days a copy of your letter to the person who lives in the flat above asking that the cracked overflow, and the connection from the main soil stack from the toilet cistern be attended to.

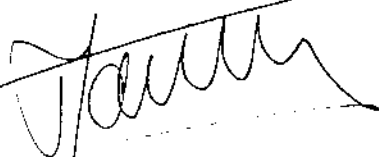
(In fact, it seems that water is also dripping from another part of this person's bathroom. As Mr McKay may have told you, last Saturday, both he and I could hear water once again dripping in the ceiling. Mr McKay satisfied himself that it was not connected with the overflow, or the toilet cistern).

- At last, asking two companies to have a look at the damp in the kitchen and sitting area. The first was BWK/Robert Smith (?) who came on 30 October. The second was Protim who came on 27 November (evidently not in your records was the fact that Protim had carried out damp proofing work 3 years previously). I have not heard anything from you since their visit.

To conclude, Ms Hathaway, as far as I am concerned, **your contract in relation to Jefferson House should be terminated immediately.** I intend to take action to this effect.

Furthermore, I will seek advice in relation to financial compensation for the distress, aggravation, loss of enjoyment of my flat, waste of my spare time writing countless letters that your failure to act has caused me, and is still causing me, and for having totally ruined a day of my annual leave.

Yours, who has now run out of patience,



Noëlle Rawé

- cc. - Mr Robert Horton, Chairman & Chief Executive )Plus, photographs  
Officer, British Petroleum PLC )showing damage in:  
- Mr Edward Kisala - Debenham Tewson & Chinnocks )kitchen, sitting-area,  
- Langhaven Holdings PLC )bathroom  
- Chairman, Jefferson House Residents  
Association

Enc. Cheque - £40.10 for electricity