From:	Adler, Melissa
To:	Letzbor, Brigitte
Subject:	E-news Bank Guarantees - Update
Date:	Monday, 7 May 2012 9:20:11 AM
Attachments:	NSW- NFSCON0604A- Practical Completion under the HIA New Dwellings and Renovations and Additions Contracts 150210- RA.PDF Insurers release and retention of securities.docx

---

Melissa Adler
Executive Director – Workplace Relations

Housing Industry Association Ltd
4 Byfield Street
North Ryde
p 02 9978 3334
m 0405 971 843
f 02 9888 6677
hia.com.au

From: Adler, Melissa
Sent: Friday, 27 April 2012 3:01 PM
To: Letzbor, Brigitte
Subject: FW: Bank Guarantees - Update

Hey Brigitte

This can go in enews with the attachments – I put the insurer one on a Member Alert.

Home Warranty Insurance and the return of securities

HIA has received many calls from members enquiring about the release of securities (including bank guarantees) taken out in order to obtain Home Warranty Insurance. Late last year changes were made to the Home Building Act to clarify provisions which meant that insurance companies felt they had indefinite liability for claims, and as a result were refusing to release those securities.

As a result of these changes HIA has worked with the Department of Fair Trading, the Insurance Council of Australia and all the former Home Warranty Insurers to ensure a consistent approach is taken to the release of these securities.

*Please **click here** to read the statement developed by the Insurance Council of Australia and all the former Home Warranty Insurers which outlines the requirements and process for the release of securities.*

Have you reached completion?

As mentioned above, some of you will be eligible to have your Home Warranty Insurance securities

released. If that includes you, providing details of the date of completion for your jobs will be crucial. ***Click here*** *for information on the practical completion process under the HIA New Dwellings Contract and Renovations and Additions Contract.*

Melissa Adler
Assistant Director - Contracts

Housing Industry Association Ltd
4 Byfield Street
North Ryde
p 02 9978 3334
m 0405 971 843
f 02 9888 6677
hia.com.au

From: Bare, David
Sent: Friday, 27 April 2012 2:52 PM
To: Adler, Melissa
Cc: Letzbor, Brigitte
Subject: RE: Bank Guarantees - Update

This is fine Melissa

From: Adler, Melissa
Sent: Friday, 27 April 2012 2:45 PM
To: Bare, David
Cc: Letzbor, Brigitte
Subject: RE: Bank Guarantees - Update

Hi David

Are you happy to go with these blurbs – I want to avoid giving the impression that HIA drafted the document.

Home Warranty Insurance and the return of securities

HIA has received many calls from members enquiring about the release of securities (including bank guarantees) taken out in order to obtain Home Warranty Insurance. Late last year changes were made to the Home Building Act to clarify provisions which meant that insurance companies felt they had indefinite liability for claims, and as a result were refusing to release those securities.

As a result of these changes HIA has worked with the Department of Fair Trading, the Insurance Council of Australia and all the former Home Warranty Insurers to ensure a consistent approach is taken to the release of these securities.

Please click here to read the statement developed by the Insurance Council of Australia and all the former Home Warranty Insurers which outlines the requirements and process for the release of

securities.

Have you reached completion?

As mentioned above, some of you will be eligible to have your Home Warranty Insurance securities released. If that includes you, providing details of the date of completion for your jobs will be crucial. Click here for information on the practical completion process under the HIA New Dwellings Contract.

Melissa Adler
Assistant Director - Contracts

Housing Industry Association Ltd
4 Byfield Street
North Ryde
p 02 9978 3334
m 0405 971 843
f 02 9888 6677
hia.com.au

-----Original Message-----
From: Letzbor, Brigitte
Sent: Friday, 27 April 2012 12:07 PM
To: Adler, Melissa
Subject: FW: Bank Guarantees - Update
Importance: High

Melissa, it would be great if this could still be added to our e-news. David wants you to have a look at it before I ad it.

Kind regards

Brigitte Letzbor
Executive Assistant - NSW

Housing Industry Association Ltd
4 Byfield Street
North Ryde NSW 2113
p 02 9978 3326
f 02 9888 6677
b.letzbor@hia.com.au

-----Original Message-----
From: Letzbor, Brigitte

Sent: Friday, 27 April 2012 10:34 AM
To: Bare, David
Cc: Shymko, Natalie; Adler, Melissa
Subject: FW: Bank Guarantees - Update
Importance: High

David, I will add to current e-news. Is it ready to go out?

Kind regards

Brigitte Letzbor
Executive Assistant - NSW

Housing Industry Association Ltd
4 Byfield Street
North Ryde NSW 2113
p 02 9978 3326
f 02 9888 6677
b.letzbor@hia.com.au

-----Original Message-----
From: John Tansey [mailto:John.Tansey@services.nsw.gov.au]
Sent: Friday, 27 April 2012 10:22 AM
To: Bare, David; Humphrey, David; Peter Meredith
Cc: greg@gregmccarthy.com; Letzbor, Brigitte; Madeleine Boulton
Subject: Fwd: Bank Guarantees - Update
Importance: High

** High Priority **

Peter, David and David,

Please find attached the plain English summary of the negotiated approach to the return of securities (including bank guarantees) that has been agreed to by the Insurance Council of Australia and all the former Home Warranty Insurers.

This exact summary will be published by Fair Trading this afternoon through our Foundations e-newsletter to approximately 27,000 subscribers. It will also be posted on our website.

As per the agreement at our meeting with insurers on 8 March I hope you can each now use your own newsletters, journals and other communications channels to also publicise this message. This text has been precisely drafted with the insurance industry and it would be appreciated if you used this exact text without amendment.

Please contact me directly if you wish to discuss this.

Regards, John

John Tansey, Assistant Commissioner
Home Building Service, NSW Fair Trading
Level 4, 1 Fitzwilliam Street, Parramatta 2150 e:John.Tansey@services.nsw.gov.au
ph: 9895 9900; m: 0422 006 720
www.fairtrading.nsw.gov.au
www.services.nsw.gov.au

>>> John Tansey 16/04/2012 4:01 pm >>>
Colleagues

I am emailing to provide a brief update on this topic and progress since our 8 March meeting.

I am pleased to report that the ICA and Insurers have undertaken significant further work since the meeting and have reported back to us that they have not identified any further issues or impediments to the release of eligible bank guarantees. They have also now developed an agreed framework for the release of eligible guarantees and undertaken to adopt a consistent approach across insurers.

Fair Trading has drafted a plain English summary of the industry's agreed approach which it is hoped will be suitable for use in general communications. This draft was provided to the ICA and insurers last Friday and we have requested their feedback urgently.

I hope to be able to have something to distribute to all of you very soon that can be used by all of us in sector communications.

Regards, John

John Tansey, Assistant Commissioner
Home Building Service, NSW Fair Trading
Level 4, 1 Fitzwilliam Street, Parramatta 2150 e:John.Tansey@services.nsw.gov.au
ph: 9895 9900; m: 0422 006 720
www.fairtrading.nsw.gov.au
www.services.nsw.gov.au

****

This email message, including any attached files, is confidential and intended solely for the use of the individual or entity to whom it is addressed.

The Department of Finance and Services prohibits the right to publish, copy, distribute or disclose any information contained in this email, or its attachments, by any party other than the intended recipient.
If you have received this email in error please notify the sender and delete it from your system.

No employee or agent is authorised to conclude any binding agreement on behalf of the Department of Finance and Services by email.
The views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Department, except where the sender expressly, and with authority, states them to be the views of the Department of Finance and Services.

The Department of Finance and Services accepts no liability for any loss or damage arising from the use of this email and recommends that the recipient check this email and any attached files for the presence of viruses.

****