



10 October 2017

Our Ref: 15226

Enquiries: Helen
6552 9302

Mr Travis
Via email:

Dear Mr H

COMPLAINT AGAINST SECURE PARKING

I refer to your complaint lodged with the Department of Mines, Industry Regulation and Safety – Consumer Protection Division (Consumer Protection) against Secure Parking concerning changes in the Terms and Conditions of the promotion.

Unfortunately our attempt to negotiate a settlement with Secure Parking has been unsuccessful. Secure Parking is unwilling to change their position because they consider they reserve the right to cancel, terminate or modify for fairness, integrity or improper conduct. The Terms and Conditions were changed at the instruction of New Balance to prevent over subscription through the third party site Ozbargain.

You are still entitled to use the voucher until the end of the year.

Consumer Protection offers this free conciliation process to help resolve disputes between consumers and traders. While we are successful in nearly 65 per cent of cases, if either party chooses not to settle the dispute then the matter can then only be resolved by the Magistrates Court.

If you choose to proceed, going to court is not necessarily expensive or difficult, but some work needs to be done to ensure you make the best possible case. The Magistrates Court deals with disputes between consumers and traders where the claim is less than \$75,000. A lawyer cannot represent you or the trader if you are making a claim for less than \$10,000 unless the court grants special permission (or all parties agree).

You can find information about preparing your case, including sample claims, on our website at www.commerce.wa.gov.au/consumer-protection/magistrates-court or you can contact the Perth Magistrates Court directly on (08) 9425 2222 or www.magistratescourt.wa.gov.au.

For your information, the following low cost legal options are available:

www.legalaid.wa.gov.au

www.communitylaw.net

We will now close your conciliation file. A record of your complaint has been entered into the Consumer Protection complaint database for future reference.

In addition to its conciliation role, Consumer Protection is responsible for prosecution of traders who breach the Australian Consumer Law (ACL) or other relevant legislation. If a significant breach of the law has occurred and/or we have multiple complaints against the same trader, your complaint will be referred to our enforcement team. If that investigation results in a prosecution you may be asked at some time in the future to be a witness.

Should you have any questions please contact me on 6552 9302 quoting file reference 15226 .

Thank you for bringing this matter to our attention.

Yours Sincerely

Helen
CONCILIATION OFFICER
RETAIL, BUILDING AND SERVICES BRANCH