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Australia
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JG King Homes
PO Box 190
Wendouree VIC 3355
attn. Wayne Jones

Job number 1312BAA319

Dear Wayne,

I refer to my letter of 13 August 2015, in which I rejected your claims. Your response suggests that the only course is litigation, something that I would rather avoid, and in the meantime I have been collecting evidence for a possible court case. I do not relish the idea of such a course. In this letter I would like to propose a compromise.

The main issues at hand are:

- The gaps under the doors.
- The cooktop.
- The range hood

In most cases you suggest that I contact the manufacturer. At a later point, this might be appropriate. Currently my issue is that you recommended and supplied this equipment, and it does not meet reasonable quality expectations, so I expect you to follow through on your recommendation.

The gaps under the doors

Your letter of 10 August 2015, you state:

Greg Forte ... provided you with an option for mushroom moulds or brass strips... You did not take up the offer.

This is correct, but you omit to state that Greg also thought that the “solution” was unacceptable, and that it was not the approach that we agreed on on your site visit of 15 July.

The real problem, however, is the difference in the floor levels between different rooms. This is not present in your display homes, and there is no such provision in the contract. The correct solution is therefore to replace the flooring so that there is no difference in level. At the same time you could ensure that the floor is flat: at the moment we have differences of up to 5 mm in the lounge room, making the placement of tables a touch-and-go affair, and the gap under the door of the main bedroom is several millimetres higher on the right than on the left.

Range hood

I take note of your correction about the volumetric displacement of the range hood: instead of a maximum rate of 770 m³/h, I am happy to accept a net rate of 590 m³/h.

You have sent two different people along to investigate the installation, both from companies who install the equipment and thus have an interest in maintaining good relationships with the suppliers. The first, Wayne, told me that the design was flawed, and agreed that it didn't work well, though I note your claim that he later recanted. The second, Craig, did not even attempt to measure volumetric flow. Instead he investigated whether it could hold sheets of paper against the filter. I have no use for a noisy paper holder.

I therefore bought a cheap air flow device. It's not very accurate, but good enough for the purpose. What I found is described in more detail at <http://www.lemis.com/grog/diary-sep2015.php#range-hood>: the throughput is in the order of 110 m³/h, or about 20% of the advertised rate. In addition, nearly all of this flow is in the middle section, while the high burners on the cooktop are on the edges. This corresponds exactly to what Wayne had told me.

I'm sure that measurements with a better device would be more precise, and I'm happy to repeat them if you can supply one. But the fact remains: this range hood is by far the worst I have ever used. And your adviser recommended it to me exactly because it should perform better than the standard equipment.

Cooktop

My complaints about the cooktop were that it was not possible to set an adequately low idle flame, and that there was not enough space round the "high" burner. Since then I have compared it with your standard cooker and discovered that it is worse in almost every aspect:

- The cooktop is mounted incorrectly. The rear edge is only 2 cm from the wall, while the front edge is 6 cm from the edge of the work surface.
- Partially as a result of this, the distance between the main burner (rear right) and the wall is inadequate. It's only 13.5 cm, which means that a standard 30 cm frying pan won't fit. Even with smaller utensils, the burner is so close to the wall that it burns the wall tiles and presents a potential fire hazard. See the photos at <http://www.lemis.com/grog/diary-dec2015.php?topics=J#D-20151203-233837>. We have had to put a sheet of aluminium foil between the cooktop and the wall on the few occasions where we can use it at all.
- The distance between the burners on the right ("high" and "low") is only 20 cm. That is not sufficient to use both flames at the same time. Even if I were able to position a 32 cm frying pan centrally over the "high" burner, it would extend to cover part of the "low" burner.

This appears to be a design defect of this particular cooktop: the total depth of the cooking area is only 40 cm, compared to 53.3 cm on a free-standing model, such as are installed in your display homes. In fact, with a total area of 3,400 cm², it's only slightly larger than 60 cm models (typically 3,100 cm²). By contrast, the area of your standard cookers is 4,500 cm², and these problems do not arise.

- As mentioned, the "low" setting on all flames is far too high. I can't accept the statements of the trademen who have inspected it: they're tradesmen, not cooks, and they have a vested interest in claiming that it's OK. The fact is that it's impossible to simmer sauces on any flame. See

<https://www.youtube.com/watch?v=V4xEbdGySUI> for an example that shows a rolling boil at minimum setting, where a simmer is required.

Because of these problems I have had to buy a portable induction cooker, on which I do much of the cooking that should be done on the cooktop.

I have paid a total of \$992 over and above the standard equipment price for the cooktop and range hood. For this price I expect better quality, not worse. The current installation is the worst I have ever experienced.

My compromise suggestion

As mentioned above, I really don't want to have to have legal issues about this matter. I'm sure that if we did take this route, the court would accept that you did not live up to the care and expertise that I should reasonably expect of you, and agree that the items should be replaced. I'm sure that they would also agree that the difference in height of the floor coverings was not in accordance with the contract. If I have to take the legal path, I will also seek compensation for the other items we have discussed, and prior to doing so I shall also check for any further problems to include in the dispute.

To avoid this inconvenience, I suggest:

- You take back the cooktop and refund me the purchase price, including (*pro rata*) the price implicit in the standard equipment.
- I source an alternative cooker, and you mount it for me in an appropriate position on the work surface (specifically, not up against the wall).
- You take back the range hood and source and install an alternative that can be demonstrated to extract at least 500 m³/h in our environment.
- We drop any further claims to the other items currently under dispute.

Sincerely

Greg Lehey