

But for the Plan (A Bad Roofing Job)

Sometimes, what looks complicated becomes relatively simple, if you can get a lawyer to handle it in a direct and authoritative manner. Thomas Tomei (not his real name), had exactly that kind of problem.

He had hired Sears Canada to re-shingle the roof at his home. Several years later certain portions of the re-shingled roof began to leak. Thomas had the roof inspected. The report stated that the shingles were inferior and had been installed improperly.

He tried to get Sears to repair the roof, but the company did not respond in an adequate manner. After months of frustration, Thomas made an appointment to see a lawyer at our Brampton Staff office.

Fortunately, Thomas kept all of the contracts and warranties related to the roofing job. The lawyer determined that the Sears Canada warranty period had expired. However, he discovered something that had not occurred to Thomas - that the manufacturer of the shingles also provided a warranty.

The lawyer then assisted Thomas in gathering better evidence, including two quotes for repair of the roof. After an exchange of correspondence and some negotiating and cajoling, the manufacturer agreed to pay for the supplies required to repair the roof and for a substantial portion of the labour, all of which was valued at about \$2,500. Needless to say, Mr. Tomei was extremely pleased.

Thomas Tomei came to our office after his own attempts to seek redress were frustrated. But for the Plan, it is unlikely that he would have hired a lawyer.

*... Submitted by Frank Carlone,
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