

Perth Now

Westpoint Realty, Carey mislead clients

- by Staff Writers
- From: PerthNow
- February 11, 2011 5:08PM

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WESTPOINT Realty and its director Norman Carey have been guilty of making false or misleading representations regarding a residential property development in Rivervale.

Following a three week trial, the Perth Magistrates Court today found the company and Mr Carey guilty of five charges.

Lawyers acting on behalf of Consumer Protection told the court that the company, via its agents, misled purchasers of units in the Regent Apartments development by falsely informing them that there had been indefinite delays to the project due to planning approvals.

The agents caused purchasers to terminate their contracts of sale, then each of the units were then re-sold at a higher price within a relatively short period of time.

Sean Niven and company secretary Graeme Rundle, who faced the same charges under the Fair Trading Act, were acquitted on all charges.

Mr Rundle satisfied the Court that the offences occurred without his knowledge or authority and that they could not have been prevented by exercising due diligence.

The court accepted Mr Niven's position that he was not a relevant office holder of Westpoint Realty.

Two Westpoint Realty agents pleaded guilty to related charges in September last year and were fined \$2000 and \$750 respectively and were granted spent convictions due to their cooperation with the prosecution.

A third agent, Thomas Haynes, pleaded guilty in December last year and was convicted and fined \$1000 and ordered to pay Court costs of \$1180.

His application for a spent conviction was refused.

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