

**From:** [Di and Max Email](#)  
**To:** [EDR Review](#)  
**Subject:** Banking tribunal terms: Attn Professor Ian Ramsay  
**Date:** Friday, 23 June 2017 10:04:46 PM

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Dear Professor Ian Ramsay

We are the victims of [REDACTED], their engineering of valuations, security and management of business loans.

As astute, successful business owners we have experienced many challenges. In the last 8 years we have faced absolute heartbreak, mental stress and financial ruin through the actions of banks.

So how do we stop this from happening to current businesses, new businesses and people who are willing to invest in this country, employ people and financially benefit the Australian economy?

It's imperative for this tribunal to consider the impact of the conduct of banks, it's also critical this tribunal understands the system that people when face to try and get justice.

This is a condensed summary of submissions made to senate enquiries and enquiries into impairment of customer loans. For submission to Professor Ian Ramsay review - Banking tribunal terms.

We purchased the Naracoorte Hotel Motel in November 2007.. [REDACTED] agreed to finance us there was a mix of security to secure the loan, including cash and residential property. Our Accountant was specialised in hospitality businesses, he assisted us in our due diligence on the business. We utilised the services of an experienced lawyer, [REDACTED], to review all of the paperwork for this purchase.

[REDACTED] used their affiliated valuer, [REDACTED] to value the Naracoorte Hotel Motel. The valuation was \$2.4 million, (contract price) it was also stated that in a forced sale the valuation would be \$2.1 million. [REDACTED] advised that our loan would be signed off immediately as we had more than enough security and cash and with the Hotel valuation.

Following their takeover of [REDACTED] were looking at risk weighted assets and of the dire situation of [REDACTED]. Their subsequent action through manufacturing defaults and engineering the outcome they wanted.

By December 2008 [REDACTED] had initiated the process to impair our loan, through their engineering of reducing the valuation of the business, reducing the valuation of our security, this raised the loan to value ratio resulting in our loan being impaired. They never carried out a valuation on the hotel or on the properties which secured the loan. Their representatives continued to state the hotel would not come anywhere the original [REDACTED] valuation and the bank representatives even stated the hotel would not even come in at \$1.2 million. [REDACTED] did not physically visit the Naracoorte Hotel Motel or secured properties and did not instigate any valuations on the business or the securities.

We then experienced the most harrowing of times at the hands of [REDACTED], through their bullying intimidating behaviour to force the sale of the hotel, force the sale of our family home and forced sales of all our assets.

Our loan facility was due in November of 2010, and as this was fast approaching we had to act quickly to sell, to stave off receivers. As the Hotel had not sold we had to sign a deed

of forbearance on all of the properties and the cash we had as security.

The Hotel was sold for a fire sale price, as was our family home, in a market which was depressed & very uncertain. We were forced to get the property listed and then to accept the first offer. Our home which was sold for \$520,000 was originally valued by the real estate agent at \$630,000. There was a large shortfall from the Fire sale of home & Hotel, we had to furnish a loan to pay the bank. There was never a valuation carried out on the hotel, so it is difficult to know whether the fire sale price of \$1,550,000 was valid.

We have never been to court for this matter, we couldn't afford to go the distance against the banks financial resources, we had nothing left. We have tried to have our story heard by representatives of ASIC, public office and varying ombudsman services. Trying to navigate the various bodies and options available is like chasing Alice down the rabbit hole and no one seems to want to know or is it too difficult to take on these all powerful untouchable banking institutions?

Yours sincerely

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Sent from my iPad