

NSW

# New legal case for Jean Nassif companies over building defects

**Colourful property developer Jean Nassif is facing new court action over building defects at another of his property developments with court documents alleging a string of problems with three apartment blocks in Canterbury.**

Fiona Wingett, Assistant Editor, The Daily Telegraph

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Two companies belonging to colourful construction boss Jean Nassif are being sued in the Supreme Court over building defects and a failure to comply with statutory warranties.

The legal action relates to three apartment blocks on one site in Charles Street, Canterbury, for which Mr Nassif's companies, Toplace Pty Ltd and JKN Field Pty Ltd, are listed as the builder and developer.

Documents filed in the Supreme Court allege a string of problems with the buildings, including failed waterproofing of planter boxes and balconies, delaminating render, ponding, drummy, deboned and peaked tiling in the common areas, poor rendering, and problems with the piling in the building's basement which is described as "drummy" and showing "signs of spalling away".



apartments at Charles St, Canterbury. Picture: Justin Lloyd.




the unit blocks were built two years ago. Picture: Justin Lloyd.


The owners of Strata Plan 93087 launched the action in December last year, claiming the work “contains and/or contained defects and noncomplying work” and that the two companies failed to respond to the Strata Company’s requests to fix the problems and failed to “undertake rectification works successfully”.

A statement filed in the Equity division of the court, also alleges that there is water staining on the ground floor of the buildings’ three common areas and instances where drip trays are filled with water, and which, while having holes directly beneath do not drain anywhere. It also claims drip trays have been installed underneath a floor waste which is “indicative of localised waterproofing failure”.



 Jean Nassif and his wife Nissy.



 The Toplace building in Parramatta is also subject to legal action over flammable cladding.



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The statement details locations where water is bypassing perimeter drainage or are blocked due to building debris, as well as water and efflorescence — crystalline deposits of salts — leeching out over car spaces, and water pooling on a balcony with it penetrating up to the balcony door.

A 2500-page report was compiled on the building by building consultants Landlay on behalf of the strata company earlier this year.

In their response, Toplace and JKN Filed Pty Ltd do not admit the defects or liability for them, claiming the method and rectification and cost of it proposed by the strata owners is not necessary or reasonable, or that any loss or damage has been suffered. It also denies breaching statutory warranties. The companies do, however, agree to undertake any works ordered by the court.

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Toplace is also currently being sued by apartment owners at the 28-storey Parramatta Rise building. Owners claim combustible cladding was used on the building. Toplace has stated in its defence that the cladding “in conjunction with the other fire safety features in the building were and remain good and suitable for the purpose for which they are used.”

There are also up to 100 other alleged defects listed for that building in court documents, which range from an exposed hot water system enclosure to cracking walls.



The legal action relates to three buildings on Charles St. Picture: Justin Lloyd.

Mr Nassif went viral this year after a social media video of him presenting his wife, Nissy with a \$500,000 yellow Lamborghini.

The Daily Telegraph has reached out to Mr Nassif's media representative for comment.

Building manager Mayank Ganababi told The Daily Telegraph that there had been leakage from the roof into a number of apartments, as well water damage on two lower floors which he believed to be from blocked drains.



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Jean Nassif was lampooned on social media after he posted a video of him gifting his wife, Nissy, a bright yellow Lamborghini.

“The carpets were completely getting wet a couple of times so they drained it out and did waterproofing so, as of now, there is no issue with carpet leakages. But when there is heavy rainfall there are definitely issues from the rooftop to the top units.”

He said a buildings engineer had removed part of a balcony which was cracked so that it did not fall off.