



Advertisement

Real Estate

---

# IMF Bentham, William Roberts Lawyers file Alucobest cladding class action

By **Michael Bleby**

---

Updated Feb 15, 2019 — 4.52pm,  
first published at 4.51pm



The first legal battle against a supplier of combustible cladding has commenced, with litigation funder IMF Bentham and William Roberts Lawyers filing a class action in the Federal Court of Australia.

ASX-listed IMF Bentham and William Roberts filed proceedings on Thursday against the German producer of Alucobond polyethylene-core aluminium composite panels 3A Composites GmbH and Australian supplier Halifax Vogel Group, IMF Australia investment manager Gavin Beardsell said.

"It's a product liability claim under the basis of consumer law," Mr Beardsell told *The Australian Financial Review* on Friday.

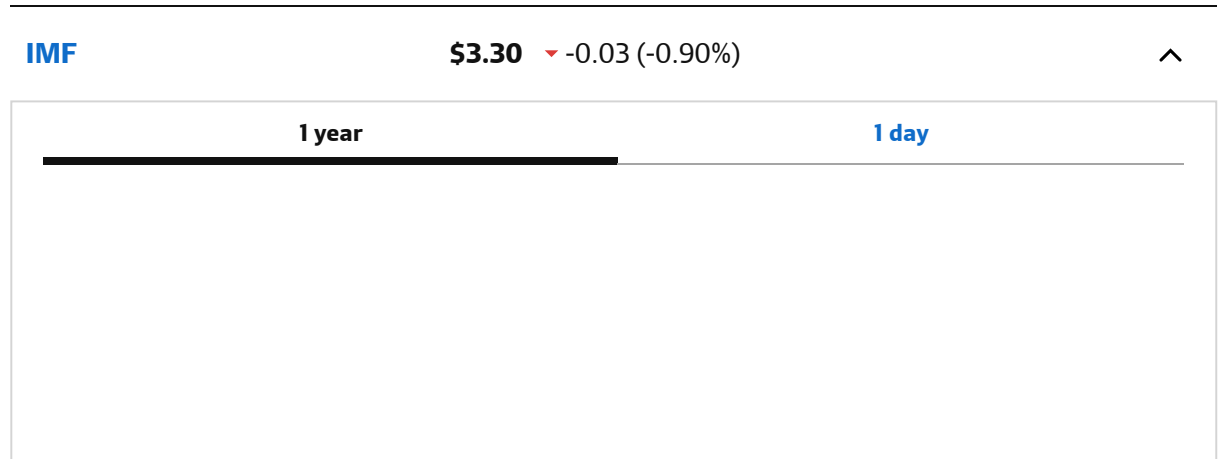


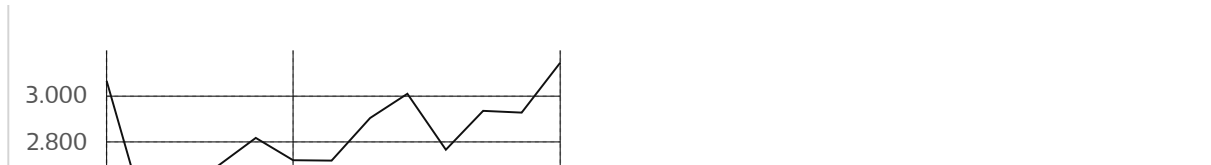
Not commenting on the action launched against his company: Halifax Vogel chief executive Bruce Rayment. **Supplied**

The filing follows the [opening of a register for potential claimants](#) by the funder and law firm in October last year. The case only has one lead applicant so far, the owners corporation of a 17-unit development in the southern Sydney suburb of Dolls Point, but that was enough to start a case that would draw other claimants, Mr Beardsell said.

"You are only required to have one representative applicant and then you push on," he said.

### Related Quotes





---

Advertisement

---

"Our class action involves hundreds of buildings and thousands of affected building owners who will be claiming compensation."

Court documents have not yet been served on either of the respondents. Bruce Rayment, the chief executive officer of privately owned Halifax Vogel, declined to comment.

While this class action focuses on Alucobond, a market leading PE-core panel sold into the Australian market, it was not the only one and the IMF Australia and William Roberts Lawyers were open to starting class actions against producers and suppliers of other products, they said.

"We are still continuing on with investigating other potential class actions to launch on similar grounds against other manufacturers," William Roberts principal Bill Petrovski said.

The current class action is open to property owners and long-term lease-holders who have suffered or will suffer financial loss due to the need to remove and replace Alucobond PE cladding products, or take other remedial measures.

It seeks compensation for property owners of residential, commercial, mixed-use, and other non-residential buildings.

Mr Beardsell declined to quantify the value of the claim being made, as it would depend on the number of buildings that ultimately joined the class action, but said relief sought would be to cover the costs of rectification, loss of market value of properties and the costs of experts consulting to the case.

Mr Beardsell also declined to say how much IMF was spending to fund the action.

"Most class actions require multi-million investments," he said.

---

---

Rectification costs of combustible cladding costs will vary. On some buildings, the remedy can include keeping the cladding in place, but add features to mitigate the risks, such as sprinklers.

In other cases, full replacement of the cladding is required.

In December, builder LU Simon and the residents of Melbourne's Lacrosse tower [settled on a \\$5.6 million cost](#) for LU Simon to replace the combustible cladding.

That agreed price was low and not necessarily a benchmark for what it would cost to reclad similar residential towers, however.



License article

---

## MOST VIEWED IN REAL ESTATE

### 1 Victoria to release 12 new suburbs for another 50,000 houses

---

## 2 Harry Seidler's Level 40 penthouse at Sydney's Horizon for sale at \$20m

---

## 3 Big is beautiful for retiree 'upsizers' who want more space for lifestyle

---

## 4 Valuer Landmark White goes into trading halt after banks stop using its services

---

## 5 Westfield drags its new owner Unibail-Rodamco lower

### Commercial Real Estate



CONTACT AGENT

FOR LEASE

CONTACT AGENT FOR  
FURTHER INFORMATION

FOR LEASE

**377 Victoria Road MALAGA WA**

**Ground /174 Pacific Highway ST  
LEONARDS NSW**

 Industrial / Warehouse

 Offices

 2,400m<sup>2</sup>

RECOMMENDED

**US Air Force officer defects to Iran, charged with...**



**Kevin Rudd says Donald Trump's trade deal with China will...**



**Banned billionaire Huang Xiangmo calls Australia a 'giant...**



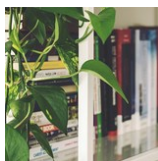
**What Bill Gates doesn't like about the Trump administration**



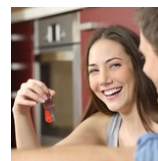
powered by plista

PROMOTED

Tic: Toc  
**Don't be fooled by home loan pre-approval.**



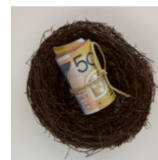
Moza  
**7 of the top home loans under 4%**



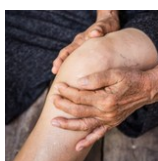
neds.com.au  
**Deposit \$50 Get \$150 Bonus Bets! T&Cs Apply.**



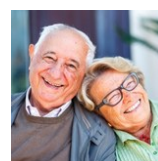
Life Insurance Comparison  
**Born Between 1953 and 1969? New Life Insurance Information**



Health Insurance  
**Aussies Over 55 With Private Health Cover Should**




esuperfund  
**[eBook] A Beginner's Guide to Pension and SMSF**



**GROUP**  
**Read This**

---

 powered by plista

---

**THE AUSTRALIAN**  
**Financial Review Magazine**

How financial regulator Mark McGinness became an obituary writer on the side

Book reviews: In Extremis; Islands; The Breakthrough

Cédric Grolet, the sugar sorcerer of Hotel Le Meurice

Can Australian businesspeople save the Great Barrier Reef?

How the children of China's newly rich invest in Australia

**BOSS**

Innovation has become 'politically toxic', says AirTree's Craig Blair

Want to be more productive? Get up earlier, much earlier

How to waste 50 hours in business class and enjoy every minute

From Shemara Wikramanayake to Bill Shorten, 7 leaders to watch in 2019

SA Water trials 1414 Degrees' black box in search for cleaner, cheaper energy

**Life & Leisure**

5 of the most desirable homes for sale around Australia this week

Sophie Holt launches first collection for embattled Oroton

Black Saturday bushfires remembered by Yarra Valley wine community

Who SailGP CEO Sir Russell Coutts would choose to rock his sailboat

Why choreographer Meryl Tankard revived her tragic ballet, 'Two Feet'

## Special Reports

Ian Harper slams Morrison government's power breakups

The more a job changes, the more secure it might be

Strong core skills needed to be able to adapt

Thriving in the digital economy requires diversity

Charting the path to success needs a human touch

[SUBSCRIBE](#)

[LOGIN](#)

---

[Subscription Terms](#)

---

[Contact & Feedback](#)

---

[Markets Data](#)

---

[Brands](#)



## Our Network

---

© Copyright 2019 The Australian Financial Review

[Reprints & Permissions](#)

[Privacy Policy](#)

[Terms & Conditions Of Use](#)