

Property Divisions of Law Firms can raise the ethical standard of property sales and in so doing boost their fee income. In addition, Class Action Divisions of Law Firms should consider new actions related to adverse health consequences caused by oral 'care' products sold by supermarkets and pharmacies that may have affected up to 50 per cent of Australia's population, with similar numbers in the UK and USA.

Extract from a Review (#13) by a retired Property Lawyer of the e-Document available via the *Propertileaks* website:

*"I was a member of a law firm's Property Division in 1995 and could never understand why we always did the hard yards for all the big sales and leasing deals, yet it was the estate agents who creamed off astronomical fees for doing very little. The **Buyer's Highest Offer** Advocacy Group has now very sensibly rearranged the deck chairs and thrown the agents overboard. I can't resist saying about time. Real estate will no longer be an unfair game dominated by wheelers and dealers. On the contrary, it promises to be a rational, open, uncomplicated and dignified business where the professional participants, sellers, and buyers know exactly what is going on, with vendors incurring very low selling costs."*

Property Solicitors engaged in drafting contracts for the sale and leasing of commercial premises and who attend to conveyancing, need to take note of the above comments. They should then read all 14 Reviews of the **BHO** Document, note the information in each Menu Item on the *propertileaks* website, then download the e-Document.

After reviewing the **BHO** Document, solicitors will understand that their *historical* role in the sale and leasing of property has been usurped by persons without qualifications in property law and contracts, and therefore ill-equipped and unsuitable to assume responsibility for protecting property sellers' legal and financial rights (*vide infra* TUKURUA).

The **Buyer's Highest Offer** sale system ensures that vendors' interests are protected, unlike those of Mr Ted Smith, the vendor of the Cottesloe (WA) oceanfront mansion TUKURUA which was 'snapped up' by billionaire Andrew Forrest for the bargain price of \$16 million. Mr Smith claims he was pressured to accept \$16 million - an amount *well below asking price / fair price* of \$25 million placed on the property by the estate agent who took over the listing from another agency which had originally advertised the property for \$50 million.

Had Mr Smith used the **Buyer's Highest Offer** sale method, his solicitors would have overseen the sale, the property would have been promoted in a highly professional manner, written offers would have been received, Mr Smith would not have been under pressure to accept any offer immediately, and assuming offers were invited in accord with the **BHO** sale system, i.e., aimed at drawing out best / highest offers from all interested parties, Mr Smith would have been confident the highest offer received was the maximum / 'top price'. Estate agents / salespersons acting as intermediaries cannot achieve 'top price' because their sale methods of auction and 'price negotiation' *disadvantage sellers and advantage buyers and agents*. Property Solicitors engaged in drafting contracts for the sale and leasing of commercial premises and who attend to conveyancing, need to take note of the above comments. They should then read all 14 Reviews of the **BHO** Document, note the information in each Menu Item on the *propertileaks* website, then download the e-Document.

Every law firm in Australia with a Property Division can expand its services by advising clients that Property Lawyers are the most appropriate professionals to oversee the sale of property - *residential, commercial, industrial, rural, special purpose (including golf courses and polo fields)* - in accord with the **Buyer's Highest Offer** sale system. Such expansion of legal services would raise the ethical standard of property transactions and assist property sellers by helping them protect and maximise their investment capital. It would also boost incomes of Property Lawyers prepared to broaden their vision and view the property market in a rational manner, i.e., where true professionals oversee each key step in a property sale on behalf of the vendor, instead of one 'jack-of-all-trades' person who is a *master of NONE of the key 'trades' / steps in a sale which must be undertaken in a way that ensures the the best possible outcome for the vendor*.

The **Buyer's Highest Offer** system is an astute 'cut-to-the-chase' approach to the successful sale of every kind of property, and in all price ranges. It dispenses with the nonsense, the time-wasting, the absurd and irrational tactics adopted by 'negotiators' with minimal qualifications and vested financial interests. In this way, **BHO** avoids every potential problem that can arise in a property sale, including legal problems associated with the sale contract that can sometimes delay settlement for up to 3 years should a disputed matter proceed to court. To achieve a guaranteed **Highest / Best Offer** for a property, a vendor must not be dictated to by a negotiating intermediary. Dispensing with a *negotiator* means no sale commission, no GST on commission, and no indirect Property Wealth Tax for the

A further extract from the Review (#13) of the e-Document by the retired Property Lawyer on the *Propertileaks* website:

*"The authors (of the **BHO** Document) have engaged in a marathon debate, focusing attention on everything industry players say and do related to the sale and leasing of property, then put forward their counterviews on why they believe there is a better way of "doing it". I would predict that in the near future even members of the real estate industry will use the **Buyer's Highest Offer** method when selling their own properties; they would be foolish not to."*

And an extract from Review (#2) by a Practising Property Lawyer and University Lecturer in Property Law:

*"..... the authors consider real estate sale commissions represent a levy on wealth, analogous to a property wealth tax By viewing commissions in this way, and regarding the income taxing of such commissions as an indirect tax on vendors' investment capital, the authors have uncovered a vast new target for legitimate avoidance of a property wealth tax. As the authors point out, it is astounding that real estate consumers accept an iniquitous system and its unjust siphoning of valuable investment capital directly into the Federal Government's coffers - through estate agents and their salespersons acting as *de facto* property wealth collectors."*

Support for our Health Advocacy colleagues: Referral of health consumers to an informative and sensitive article on breast cancer, and the flagging potential class actions by persons affected by *FLUOROSIS* and / or *Periodontal Disease* caused by using unsafe oral 'care' products purchased from supermarkets and pharmacies

As Consumer Advocates for tax-effective and wealth-building sale of property, we recommend all professional and support staff of Law Firms take special note of an **ADDENDUM** on Health to the *safeSMSFstrategy* electronic Document. This 11 page section written by an expert in pathology and disease prevention covers previously unpublished health consumer information on benign and malignant growths ("cancers"), **including breast cancer in females**. An account of breast cancer affecting the wife of a celebrity is used as an example to discuss whether or not parents should inform young children about their mother's illness; this is a most revealing, sensitive, caring and valuable counterview article, one that should be taken note by all parents who might find themselves in a similar situation.

As to information and advice on oral and dental health covered in the www.dentalcaresystems.com.au website, there are disturbing revelations for all who access the Menu Items and download the 5 Fact Files. Few if any health consumers who buy major brand oral care products will have imagined that supermarkets and pharmacies sell oral 'care' products that can endanger the health of adults and children, **yet warnings are missing from packaging**. As reported in one of the Reviews of the *safesmsfstrategy* e-Document by a semi-retired pharmacist:

*"..... On top of all this valuable information (for \$25), you get bonus information on health which is priceless because it includes early signs of life-threatening conditions, plus information on health care products that instead of protecting health, have potential for harm, but adequate warnings are not included on packaging. I am withdrawing these 'care' products from my pharmacy shelves and shall advise family members, friends and employees to stop using these products for themselves and their children. Justification for including health information in their Document is summed up by the authors: **Wealth cannot be enjoyed without good health. It's the most sensible, informative and helpful financial publication I've ever read, over 200 pages of valuable information, a tribute to consumer advocacy taking on big business and even the Commissioner of Taxation and winning for the benefit of 'the little guy' and 'mum & dad investors'.***

We raise and foreshadow class action scenarios because several of our relatives, colleagues and friends who have used the products referred to above have developed the very noticeable aesthetic defect **FLUOROSIS** of their permanent teeth through use of toothpaste containing high levels of **fluoride**. Additionally, it is likely the breakdown of tooth supporting structures (**chronic periodontal disease and related tooth loss**) in many instances can be linked to use of oral 'care' products recommended by dentists and dental hygienists and sold by supermarkets and pharmacies. The mind boggles at potential class actions by tens of millions of

health consumers against global manufacturing companies, including the 'trusted brands', their retailers, and health professionals who have recommended or distributed samples of the damaging products to their patients.

From the dentalcaresystems website:

Purchase Toothpastes, Toothbrushes, Fact Files

This comprehensive Fact File will be available late November 2015:



Topics covered in the Oral Care Products Fact File:

- Toothpaste cannot alter natural tooth colour
- The 'major' toothpaste that may discolour, not whiten teeth
- The big-selling toothpaste being investigated for toxicity
- 'Sensitive' toothpastes, and those claimed to protect against 'acid wear' – Health consumer **Be Aware**
- Toothbrush effectiveness ratings.
Most score 0 / 11, one scores 7 / 11
- Electric toothbrushes cannot remove all plaque and can cause damage
- The oral 'care' Product of the Year that causes periodontal damage
- Dangers of improperly used dental floss – manufacturers' advice on how to use floss is wrong
- Toothpastes that can cause **fluorosis** of permanent teeth
- Children's mouthrinses: Parents **Be Aware**