

Consumer and Commercial Division

NCAT

Nina Hayes v Sandy Sweet trading as Beautiful Blooms

File Number GEN 20/12345

Statement of Nina Hayes – Applicant

I, Nina Hayes, of 5/16 Bronte St, Liverpool NSW 2170, self-employed personal trainer, state:

1. I am the applicant.
2. I have my own business as a personal trainer.
3. On 14 April 20xx I made a telephone call to Sandy Sweet. I said "I am looking for someone to do the flowers for my wedding. Sandy said, "Sure would you like to come down to the shop to discuss what you want in more detail and then I can give you a quote".
4. On 20 April 20xx I went to Sandy Sweet's shop, Beautiful Blooms in the mall at Liverpool, and talked with her for about an hour. Sandy's employee, Rodney Lee, was also in the shop. I said, "I would like all white flowers for the arrangements mainly gardenias and roses with some greenery".
5. Sandy said, "That will be fine". She showed me some photos and I chose the designs that I liked. Samples similar to the ones Sandy showed me are attached and marked A.
6. I left my email address and Sandy said she would send me a quote.

7. The next day I received a quote from Sandy for \$4,000. A copy of the quote is attached and marked B.
8. I replied to the email accepting the quote and told Sandy when and where the flowers should be delivered to. A copy of my email is attached and marked C.
9. Sandy confirmed saying, "That's perfect I am sure you will be more than happy on your wedding day".
10. On my wedding day the flowers that were delivered were not as I had specified. They were coloured and there were no roses or gardenias. A photo of the flowers that were delivered is attached and marked D.
11. I immediately rang Sandy to ask what had happened, but I got a voicemail message saying the shop was closed until the next day.
12. I sent an email to Sandy on XX May 20XX to ask for a partial refund. A copy of the email is attached marked E.
13. I received a reply from Sandy by email on XX May 20XX refusing my request. A copy of the email is attached marked F.
14. On xx June 20XX I made a complaint to Fair Trading. Sandy and I were unable to come to an agreement about the partial refund.
15. On xx June 20XX I lodged an application with NCAT.

Signed: **N. Hayes**

Dated: XX June 20xx