Every Aussie politician knows exactly what the banks are doing

Summary:
BRN is aiming to get a roomful of politicians and journalists to attend the 14.08.18 Media Forum hosted by Senator Anning. We have invited over 700 people. Each of those invited have been given the information below. These outrageous cases of bank criminality - as well as what will be revealed at the Forum - prove the need for a longer and stronger Banking Royal Commission. Meaningful reforms will require major changes in the way the finance system is structured. The question is .... will Commissioner Hayne, the pollies and the journalists side with the people .... or the banks?

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How do you think Aussie politicians respond to facts and evidence? Every MP and Senator from every party has been given the cases released to you today. BRN has also invited every politician in Canberra to come to Senator Anning's **Extend the Royal Commission** Media Forum. (**New time 12 noon 14.08.18** - at Parliament House Canberra - details here).

Many ALP and LNP politicians sent their apologies because party room meetings clashed with the event. Fortunately it was decided to change the time. So now we can expect to see many pollies

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coming to listen to the bank victims that will be arriving from right around the country.

The facts shown below prove banks are engaged in criminal asset stripping. It's not "a few bad apples" ... the orchard is rotten .... and it's been a problem for decades. The cases we will hear on Tuesday also will show the types of banking and legal manipulations that we have not seen exposed at the Hayne Royal Commission. If you were a politician and you saw cases like these ..... what would you do?

Outrageous Case Histories of Predatory Unconscionable Banking

The Royal Commission must have more powerful terms of reference and an extended time frame. Citizens must be shown just how much crime and corruption exists in the finance system. Significant systemic reforms can only be implemented when this information is widely seen and understood. We present five case histories to back our position. We also endorse and support the Parliament House media event hosted by Senator Anning on 14.08.18 where more cases will highlight the need for stronger action.

Faye Andrews (NAB) - Property portfolio in the best locations in Sydney. Stable rental income. Faye never missed an interest payment. NAB set her up. In November 2010 her Loan Facilities were due for renewal.

NAB knew the property zoning was expected to change from four to seventeen storey buildings within three months on the land Faye owned. Faye expected NAB would allow use of Term Deposit funds to meet any shortfall in interest in the short term.

Four weeks prior to the release of council's new rezoning laws, NAB froze $900,000 cash in Faye`s Term Deposit. It was deliberate so that she could not pay her interest. NAB then said she was in default & charged 15.9% penalty interest. NAB's unconscionable contract terms state - "the Bank may cancel the facility at any time whether or not you are in breach of this agreement."

Final Assault (conspiracy with Price Waterhouse Coopers – (PWC). NAB passed Faye`s portfolio to PWC. With NAB's approval, PWC refused to allow a signed, witnessed Contract for Sale for another property to her own tenants of 21 years.

If that sale was allowed, the other properties in Faye`s portfolio would have been safe. They did not have to be sold.

To ensure the sale could not proceed, PWC issued a notice which prevented the tenants from entering and working in the workshops on the property, effectively putting them out of business at that site. This was extortion.

Outcome - Faye`s properties were sold in under eight weeks, but PWC took twenty months & $450,000 in fees before the file closed.

With the sale of the first property, PWC said to Faye; "oh well, it's over. The Big Boss from NAB approved the sale this morning. You'll have to start over."

NOTE: The properties were sold for less than the Sale Contract which Faye had arranged and provided.

Barry Landa (NAB) - In 2002, Dr. Barry Landa was introduced to Perpetual Trustees and Challenger Mortgage Management, through a registered broker, to borrow funds ($1.65m) to invest with Perpetual Trustees of Australia (PTAL) at an interest of 8%, using as security his home and several investment properties.

The broker, Dominic Cincotta, instead used three non-negotiable bank cheques, made out to

'Perpetual Trustees of Australia' to deposit the money into a forged bank account of his wife, Patrice Cincotta (Landa V Patrice Cincotta, nee Belle; Slattery J NSW Supreme Court). There were other victims and some $25m dollars were laundered via this forged account, enabled by Cincotta's established relationships with internal officers e.g. Ms Lioarkis and others he gifted and "entertained" at his Coffs Harbour apartment.

Internal audits discovered the fraudulent accounts even prior to Dr. Landa investing, however PTAL failed to act according to the law. The accounts were labelled "suspect transaction? Money Laundering" and this was documented on the accounts and confirmed in affidavits of officers of PTAL (Ms. Gyton). Dr. Landa was paying off his presumed mortgage to Cincotta (total sum of $750,000), receiving fraudulent statements in return. Those payments were also going into Cincotta accounts, then offshore.

Dr. Landa discovered the scam in late 2003, with Cincotta subsequently sentenced to gaol (ASIC Vs Cincotta; NSW Criminal Court). Following his sentencing for five years imprisonment, PTAL still pursued Dr. Landa for his properties, claiming innocence, with respect to Cincotta's scam. The PTAL Board sent Dr. Landa an email apologizing to him for what happened and stating that they had also never received the money.

Some Court judgments agreed, including the High Court of Australia, (HEPERU P/L v PEPETUAL TRUSTES OF VICTORIA, HCA) to which Dr. Landa had to finally resort to, in which Chief Justice French accused PTAL of running a Ponzi scheme. Hayne J was present on the bench.

Perpetual settled with Dr. Landa the night before judgment from the High Court, as it was clear they were participants in fraud. However, the deeds of the properties, under such mortgages, were not returned by error.

NAB purchased Perpetual's mortgage book around 2009, resulting in Dr. Landa losing his $750,000 repayments, and coupled with fees charged by NAB and penalty interest charges of some 10%, the fraudulent mortgages were escalated to $3.96m. In-house lawyer (Mr. Jones NAB legal, and CEO Mr. Thorburn) were informed of the fraud.

Thus the continuance of the fraud was induced by NAB, who had purchased the mortgage book in which Dr. Landa's mortgages were wrongly still in place. The error occurred at the High Court Settlement, the night before the judgment, (Heperu P/L v Perpetual Trustees of Victoria P/L, HCA) whereby such deeds should have been returned and mortgages nullified, however, this was overlooked at the time.

The NAB bought Challenger in 2009, and from thence Landa received statements from the NAB. But who "owned" Landa's mortgage after this transaction remains mysterious. Ultimately, Landa paid the $3.96m to lawyers Kemp Strang (fearing further costs and losses in court), but which company received the payment also remains unclear.

Kemp Strang blackmailed Landa by refusing to return the title to his home and properties until he signed a non-accusatory statement. The home title was recently promptly returned to Landa after his complaints to several politicians, including his local member, Mr Malcolm Turnbull, who via email, suggested it was a police matter and Dr. Landa should report it. Please note all statuary bodies were informed of the banks malfeasance at the time, FOS, ASIC, AUSTRAC, AFP, APRA, NSW POLICE, none of which were willing to investigate.

Rita Troiani (NAB) – By 1993 the Troiani's Bundaberg brick works, Wide Bay Bricks, was the second largest private brick manufacturer in Australia. NAB was keen to get the couple to bank with them - but getting their business was really part of an elaborate setup to steal the multimillion dollar assets that Sante had built up after decades of hard work. Once NAB had the opportunity it engineered a default. Using the machinery of the "Shadow Ledger" and friendly - liquidators, lawyers & Courts NAB stripped the couple of all their assets. Sante was left penniless by NAB and died after suffering a stroke in 2007. His widow Rita has had to struggle on a pension ever since.

Once the case was thoroughly investigated it became clear that right from the start NAB was actively working against Sante's interests and in fact was helping Sante's competitor Boral. It turned out that NAB and Boral had directors in common including former NAB Managing Directors Nobby Clark and Don Argus.

A fresh analysis of bank documentation has identified exactly how NAB manufactured the default and stole a lifetime's work from Sante Troiani. The Troianis were set up by NAB, their lawyer and their accountant. Money was siphoned through hidden accounts to deliberately impair cash flow.

The NAB take-down of Wide Bay Bricks would have to constitute one of the most heinous of frauds against a family business in Australian banking history.

Erika Biritz (NAB) - In 1984, Mr Peter Thomas Baulch advised George Biritz that the NAB was prepared to consolidate all borrowings under a facility for Litchurch Pty.Ltd as Trustee for the Biritz Family Trust, providing the business with extra working capital, and the loan should be a foreign currency loan in Swiss Francs equivalent to $A 550,000. The bank also advised Mr Biritz that the following properties were required to be held as security to the draw down $550,000 facility.

The properties requested by the NAB were:

1) The matrimonial residence at 3-5 Paxton Drive, Glen Waverley;

2) Factory at 39 Kembla Street, Cheltenham;

3) Factory at 41 Kembla Street, Cheltenham;

4) Apartment 92 at Acapulco, Surfers Paradise, Queensland.

The registered proprietors to those properties were Mr & Mrs Biritz, and the Biritz's consented for the NAB to registered mortgages against their respective titles.

The NAB insisted that Biritz's establish a Sinking Fund with the bank at Moorabbin. This fund was to generate sufficient monies to repay the principal and interest of the loan facilities. Biritz signed the monthly transfer debit with the NAB, and the bank from 18th August 1984 withdraw $10,000 every month until December 1987, being the total of monthly transfer of $410,000 for that period of time.

Subsequently Biritz also paid upon the NAB's demand, for "top up" deposits to the credit of the sinking fund of $250,500 over and above the monthly $10,000 transfer. All these money were stolen by the NAB from the term deposit Sinking Fund. This was just the beginning of a series of NAB misleading and illegal activities.

In 1985 Biritz purchased another property at Lot 54 Springvale Road, Keysborough. The property consisted of 20 hectares with a 5 acre dam and in 1986 Biritz arranged for plans to be drawn up for a construction of a 102 square residence. In 1987 whilst Mr & Mrs Biritz were on a trip around Europe, the NAB management team strategically plotted the financial and professional demise of Mr George Biritz.

On 15th June 1987 NAB without given authority by anyone whomsoever, (illegally) transferred all the 5 properties from Mr & Mrs Biritz as joint proprietors to a sole/single proprietor of Mr George Biritz and registered falsification mortgage instruments over each and every title deeds. The Biritz family returned from their holiday in Europe, oblivious to the impending false claims of mortgage defaults soon to be made by the NAB in the Supreme Court.

In between 1990 to 1995 NAB obtained possession of the Biritz's properties via the Supreme Court and sold each one of them. In order to conceal all of those fraudulent activities, on 22 July 1997 NAB presented Mr Biritz with a sequestration order, allegedly issued by the Federal Court of Australia.

On 13 July 1998, Mr Biritz filed an Application with the Federal Court pursuant of ORDER 35 Rule 7

sub-rule 2b. Biritz sought to set aside a Sequestration order made against his estate which has been procured by NAB engaging in fraud. During the course of proceedings His Honour Anthony North J. made an order which obliged NAB to account by 5pm 21 April, 1999 for all the sale proceeds of the Biritz properties being credited with the NAB.

To make it very clear - NAB never proved any actual indebtedness by the Biritz family, yet the bank illegally took five properties from us without any judgement for money ... (i.e. there was absolutely no proof of debts). The properties were allegedly all sold but where are the proceeds of the sale of all five properties?

Although 19 years have passed since North J. made the order, the NAB has yet to deliver their accounting. Unfortunately however the consequences have become catastrophic. Notwithstanding the fact that the Biritz family was made penniless and homeless - on 27 August 2007 Mr George Biritz passed away.

Almost all my adult life has been invested into this case and there is no way that I can walk away from it. The only option for me is to deliver justice for my family so as to honour the legacy of my late husband - *Erika Biritz.*

Malcolm Taylor (NAB) - Farmer - Malcolm Taylor is a community leader and former President of the Shire of Lower Chittering. This is his story.

In 1994 an abattoir known as Tip Top Quality Meats was to be shut down, the impact on his home town would have been profound. Several hundred workers would be sacked and forced to leave the district with the flow-on disaster of downsizing schools, policing and other essential services, effectively destroying the hub of their community.

Malcolm and two others sought to buy the abattoir to save their way of life.

They had to deal with NAB and the existing owner whose company structure was essentially insolvent.

In the period when negotiations commenced, NAB effectively concealed crucial information and assessments from the purchasers. NAB encouraged the sale to divest itself of a failed business which was without assets to cover its debts and pass their own exposure on to the buyers, of whom only Malcolm had substantial assets, his two successful wheat and sheep farms just south of Moora, a couple of hours drive north of Perth.

In a process of legal discovery Malcolm found documents from the period of negotiation. These included: bankers' notes; memoranda; and internal assessments. These notes had been taken from orderly files and deliberately scattered randomly to cause confusion. Malcolm asked for and was given permission to photocopy everything. He took his own copier into the law firm representing NAB whereby the question of client privilege was waived and confidentiality ceased to reside in these documents.

It thus became clear that NAB found the abattoir to be the worst managed company they had come across in many years of banking. At a meeting with the company Managing Director - Mr Watson - it was made clear that his company was insolvent, although when typed up the notes were altered to say - “whilst not technically insolvent ...” etc.

The objective of NAB was to conceal the true situation by hiring and arranging payment for an investigating accountant whose covert purpose was to manipulate events for the bank so that a sale could ensue and who, thereafter, conveniently disappeared.

Basically there was an orchestrated scenario to dupe Malcolm into placing his assets in NAB's hands to replace the bankrupt owner's debts which clearly were never going to be repaid to NAB.

Part of the plan was to have a purported representative of the seller, who was secretly engaged by

the bank, tout the abattoir as being valued at better than $15 million.

Banking notes revealed: "Whilst the Company may not be technically insolvent it surely is struggling to meet its obligations as and when they fall due. Our dissatisfaction with the company's financial reporting and monitoring was aired and we reiterate that for a company of its size and indebtedness it is amongst the worst we have encountered in our time in banking .... the quality of information we are being fed is poor and that there is a problem with existing accountant .... we should be turning up the heat on owner to sell. ... Timing is now critical as with the lack of throughput our position is deteriorating each day. ... we could not have orchestrated a better scenario to manage and service our exposure."

NAB offered to finance Malcolm's purchase of the abattoir's assets. However, unbeknownst to him at the time - NAB was in possession of a valuation of the abattoir and the business - a total of $3.8 million. It was ultimately bought for $4.5 million.

At settlement NAB acted as financier and settlement agent for both buyer and seller.

Instead of $4.5 million as per the agreement, $4.75 million was paid to the seller by NAB. The bank immediately took the cheque back and started disbursing funds from the additional $250,000 without authority.

Consequently the new business was immediately under financial stress with little working capital. Notwithstanding this, NAB continued to withdraw unauthorised amounts from the abattoir accounts. The business was insolvent right from the start - and eleven weeks after Malcolm purchased it a receiver was called in.

Amazingly, it was not until July 2008 that Malcolm discovered by a search of Landgate records that the transfer of the abattoir land and assets had never taken place. This is critical - the stamp duty on the sale and the transfer of the land and business was never properly finalised.

Malcolm fought NAB's efforts to throw him off his farm. NAB used their vast legal team to harass him mercilessly. Eventually in 2006 Malcolm settled with NAB for much less than the bank was demanding. Malcolm also managed to regain complete control and ownership of his farms. NAB knew they were in big trouble over this deal - that's why they settled without taking Malcolm's property.

Fighting on, Malcolm applied for to the WA Supreme Court on 5 December 2008 for discovery of documents prior to issuing a writ so that he could assess whether he had grounds to proceed.

Malcolm sought only two core documents regarding the multimillion dollar transaction. These should have been easy for NAB to locate. NAB had a very big problem though - the documents crucial to the false acquisition, did not exist.

The Master of the Court refused the application out of hand. Such a small and easy request would, if granted, have pushed the bank into a declaration on oath that the documents could not be found. NAB could never have produced them. The Master was not on the side of the battlers but of the big and powerful bankers.

These cases are the tip of the iceberg.

They prove that bank misconduct is not an aberration of recent times. It is not a “few bad apples.” The crimes go back decades and the severity is far worse than has been seen in the cases so far examined by Commissioner Hayne’s inquiry.

This is a case of systemic failure allowing systematic crimes against honest hardworking Australians.

The Royal Commission needs to investigate why governments have for decades allowed these sorts

of crimes to continue – often undetected and unpunished.

Why do the regulators & courts allow bankers to profit from unconscionable and predatory "business" practices?

Australians believed that ASIC & APRA were supposed to protect them from unconscionable bank behaviour and misconduct.

Will the Royal Commission investigate why assets from a lifetime of hard work can be stolen by banks and their accomplices – particularly lawyers and liquidators?

Surely every instance of: bank services falling below community expectations; unfairness; wrongdoing; or corruption at any level within a bank or the banking system, needs to be investigated properly by the Royal Commission so that the flawed or corrupt processes can be properly identified and rectified.

I believe the case for a more powerful and longer Royal Commission into the banking system is irrefutable. The case for proper compensation of bank victims is equally strong. The need for meaningful reforms to the finance system becomes clearer each day.

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Dr Peter Brandson
CEO Bank Reform Now.

In addition - there are many bank victims BRN has advocated for and worked with where banks have falsified documents to approve clearly unaffordable loans or manipulated unconscionable guarantees - for example - Tom Jordan (NAB); Tanya Hargraves (CBA); Dario Pappalardo (NAB); Michael Sanderson (BOQ); Brett Fallon (ANZ); Thomas Brookes (ANZ); Michelle Matheson (Westpac/RHG); Peter & Anne Harwood (CBA); Philipp & Lynne Kreutzer (NAB); Jim & Debbie Barker (CBA); Giulia Mandarino (CBA); Natasha Keys; Russell Cousins (NAB); Paul Herman (ANZ/NAB); Suzi Burge (CBA). Also one of the most shocking cases we've seen is CBA's despicable treatment of Tony & Dorothy Rigg from Nowra.

Details of these and other cases of unconscionable asset stripping can be found right here at the BRN website and at our Facebook page - links below. We will also soon be announcing details of our #OzElection19 campaign**.** We think people are more than ready to only vote for politicians that support meaningful reforms that serve our people's and country's interests.

You can help us with regular monthly contributions to the election kitty .... we need to turn it into a lion. Thanks for your support - link below.

Bank Reform Now was founded by its CEO Dr Peter Brandson in 2013. His family was damaged by NAB and its unconscionable predatory lending practices. BRN is a grassroots campaign aiming to educate and motivate people to take action against a corrupted banking and political system that is stealing the wealth and rights of all Australians. BRN advocates peaceful methods of protest. In a civilised society that is all that is required. We will never initiate the use of force.

Websites For More Information: BRN on Facebook - join up and spread the word
https://www.facebook.com/bankreformnow/

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