



# Fw: Re: Design contract discount

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From: s [REDACTED] m>

To: a [REDACTED] m>

Date: Wednesday, June 16th, 2021 at 5:14 PM

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Hi Ana,

I have received your letter regarding KP Construction.

Did you client tell you about the email thread attached?

Regarding phase 1 of the contract the interior light in the renovated extension has not been installed and is still on the floor. This is an incomplete service.

Regarding phase 2 of the contract and the remaining payment for the railings, did he tell you that the stair case is rusting? After the installation they have come back to resolve it twice and the rust continues to come back. The reason it will always come back is because they were not galvanized according to Konstantin.

I sent him an email updating him yesterday that we sought a second opinion from an iron working professional who has done work in our neighborhood who agrees that the only solution is to galvanize the staircase.

Your case is predicated on completed and satisfactory work. Do you think they will favour your case with this additional information?

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----- Original Message -----

On Tuesday, June 15th, 2021 at 7:40 PM, S [REDACTED] > wrote:

Unfortunately the rust is back after just a couple of weeks. A photo of the bottom of the step is attached.

We sought a second opinion who agrees with what you originally said, the only way to prevent rust on iron is to galvanize. You did not have the stair case galvanized.

These steps are going to need to be replaced. The new ones will need to go in the day these are removed.

Let me know if you will be participating in this process.

Sent from ProtonMail for iOS

On Fri, May 28, 2021 at 1:09 PM, S [REDACTED] > wrote:  
Konstantin,



Payment is not 40 days past due because the work hasn't been completed. I wish this had all completed and paid in full in December.

It's been months since you have personally been to the site, leaving me with the responsibility of pointing out what has been completed and not. This additional time from me was unanticipated.

1. The light fixture for the extension is sitting on the floor. This should be mounted on the ceiling.
2. The stairs at the front of the house have been installed, however at this point you have been given 2 chances to resolve rust issues. The second of which just finished yesterday and we don't even know what was done. You now have to exercise the same patience that I have had on this project that was contracted to take 4 weeks and is now at 21 weeks with zero explanations as to why. We need to see if the rust returns over the next couple of months. If you do not want to wait my recommendation is to remove the stairs now and remove them from the price to avoid further conflict and we will find a new provider. If you do want to stand by your work and resolve this, great. Otherwise we are seeking quotes in case we need to replace them ourselves. This is the reason clients hold the last payment, so that they have recourse when the work is not completed or completed inadequately. We didn't spend \$60,000 and 6 months of our lives removing a rotten porch to replace it with a new rotten one.

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----- Original Message -----

On Thursday, May 27th, 2021 at 8:07 PM, M [REDACTED] a>  
wrote:

Hi Stephen,

Friendly reminder about the unpaid invoice for the back addition contract. This work was completed and the invoice sent 40 days ago. After this period of time our accountant passes unpaid invoices to the legal office for collection.

Thanks

On Thu, May 20, 2021 at 6:18 PM M [REDACTED] a>  
wrote:

Here is all information related to contract's finances. I have attached invoices for the first contract and second contract outstanding.

**First contract. Back addition \$14800+HST. Partial design deduction \$600+HST**

**Second contract. Front and Back decks \$32300+HST. Partial design deduction \$1100+HST**

**Total provided design service \$2300+HST (paid at the beginning). Outstanding uncovered design service fee \$600+HST**

**Both contracts completed.**

**First contract outstanding \$3000+HST**

**Second contract outstanding \$5000+HST**

**Additional service, outstanding payment \$350+HST**

**- \$600+HST credit to the client for design service**

**Grand total \$7750+HST**

You can make e transfers to the following email [REDACTED] or send cheque by mail. Mailing address 18 Cathedral High st, unit 2. Markham L6C0P2

Thanks

On Thu, May 13, 2021 at 11:04 AM S [REDACTED] <[REDACTED]@[REDACTED]> wrote:  
Yes this looks like them. And there are 5 broken.

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----- Original Message -----

On Tuesday, May 11th, 2021 at 6:45 PM, Manager [REDACTED]

<[REDACTED]@[REDACTED]> wrote:

We will get tiles for the backyard in one of the next days. 5 tiles need to be replaced? 2'x2'? <https://www.lowes.ca/product/pavers-stepping-stones/oldcastle-24-in-l-x-24-in-w-gray-square-patio-stone-101503>

I will ask my account to prepare an official statement based on outstanding payments. I will send all information you sent to the accountant as well.

On Mon, May 10, 2021 at 9:51 AM S [REDACTED] <[REDACTED]@[REDACTED]> wrote:

Regarding the tile [REDACTED] was trying to be generous to get you guys out of here [REDACTED] So at this point will need you to get the tiles here and [REDACTED]

We did a full audit [REDACTED] So far only a discount of \$600 has been applied from [REDACTED] There is no indication that an \$1100 additional discount was applied [REDACTED] to share the full payment records with you.

The contract also indicates that the discount will be applied to the total cost of the design contract which is \$2599, not \$2300.

As a result the second last payment will be \$1391.  $\$3390 - (\$2599 - \$600)$ .

If you add these last 2 payments to what has been paid already we are in between the total contract prices with and without HST. If you expect me to pay anything more that would indicate that there was no discount for making all of those cash payments.

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----- Original Message -----

On Sunday, May 2, 2021 6:11 PM, Manager [REDACTED]

<[REDACTED]@[REDACTED]> wrote:

Hi S [REDACTED]

The last missing parts will be installed at the same time as railing hardware. It should be ready for pick up from the supplier in one of the next days, will be installed the right after. I'm ok regarding the discount for broken tiles <https://www.lowes.ca/product/pavers-stepping-stones/oldcastle-24-in-l-x-24-in-w-gray-square-patio-stone-101503>

On the first contract discount was \$600

Second contract \$1100

The last \$600 wasn't received yet, should be deducted from one of the last payments.

It may help if you review this with your accountant. All information in the contracts.

Thanks

On Thu, Apr 29, 2021 at 9:40 AM S [REDACTED]

<[s\[REDACTED\]@m](#)> wrote:

The back is still not done. Payment for the remainder will be provided when these are complete. And they were supposed to all be done this week, and here we are going into May. And you are holding me back on starting landscaping work as I don't want your workers coming and going while the landscapers prepare the ground.

- The privacy screens are not bolted to the deck.
- The stone tile is still under the stairs (appears to be holding it).
- A latch on the door under the stairs (I prefer a discount you insist on fixing).
- Broken tiles (I prefer a discount you insist on fixing).

Regarding the design contract:

- I received a discount on the first contract.
- You haven't answer the question about where I received the \$600 discount.
- The discount was to be on the design contract. The design contract of \$2300 + HST = \$2599.

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----- Original Message -----

On Wednesday, April 28, 2021 7:09 PM, Manager [REDACTED]

<[ir\[REDACTED\]@a](#)> wrote:

Cost of the design \$2300+HST

Please see the attachment. We discussed it before signing the contract.

Reminder about outstanding balance for back addition contract.

On Wed, Apr 28, 2021 at 8:38 AM S [REDACTED]

<[REDACTED]@[REDACTED]> wrote:

The cost of the design was \$2599. I can send you that contract if you need.

What's not clear is when did I get these discounts?

- There was a discount of \$1100 from the first contract.
- At what point did I receive a \$600 from the second contract? I searched your emails from the word discount and there are none.

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----- Original Message -----

On Tuesday, April 27, 2021 10:37 PM, Manager [REDACTED]

<[REDACTED]@[REDACTED]> wrote:

Please check both contracts, scope of work and payment schedule. You have all info there.

Deducted \$1100 and \$600. Total design cost \$2300  
Outstanding \$600 - can be deducted from one of the contracts

On Tue, Apr 27, 2021 at 10:32 AM S [REDACTED]

<[REDACTED]@[REDACTED]> wrote:

There was an agreement that the full cost of the design contract would be discounted from the cost across both contracts. I don't have any record of this discount being applied. Please clarify.

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