

For attn. of American Express Customer Care
Messrs. American Express Services Europe Limited
Department 70, 1 John Street, Brighton, BN88 1NH

6th November, 2023
Masaaki Takashima
15, Earlsfield House, Royal Quarter
Seven Kings Way, Kingston, KT2 5BG

Dear Sirs,

We have duly received your letter dated 2nd November regarding a disputed charge and we would like to reply to you hereunder.

The cardholder	MR M. TAKASHIMA (Amex credit card no. 3717 888735 21000)
Details of the merchant	Aspect Maintenance Services Ltd., E7 Barwell Business Park, Leatherhead Road, Chessington, London, KT9 2NY
dispute charge reference	<u>D-47626273 for the amount of £ 893.87</u>
Order details	J145306 dated 28 th June, 2023 for the deposit amount of £ 4,032.00 for 50% of materials and demolition / installation work of en-suite bathroom
Details of Aspect quotation	Labour 46 hours (£ 95/hr) £ 4,370.00, Materials £ 2,030.00 Service fee £ 320.00, VAT £ 1,344.00, Total £ 8,064.00 (Details of materials) 6 sqm gloss white tile 25cm-50cm 3 standard tile adhesive 20kg 1 Dakota levelling clips 2mm 1 Laticrete hydro ban 1 Orchard anti-slip rectangular white gloss shower tray 1 Macdee Wirquin 40mm slim shower tray waste 1 Alaska 550mm Semi Recessed Basin 1 Bosa Mono Basin Mixer Tap – Chrome 1 Milton Sliding Shower Door
The background of the issue	After having placed the order no. J145306 by email and paid £ 4,032.00 to Aspect by Amex on 28 th June (see their invoice no. INV-170509 dated 28 th June) , <u>we cancelled the order on 5th July 2023.</u> Aspect accepted our cancellation of the order and agreed to refund the amount of £ 3,138.13 out of £ 4,032 (see their credit no. CCR-011050

dated 31st August) but they refused to refund the remaining amount of **£ 893.87**, claiming that the materials costing £ 893.87 was not refundable. Then, to our greatest surprise, we were led to believe that Amex had paid £ 893.87 to Aspect (see Aspect receipt of £ 893.87 dated 7th September), even though this case has been in dispute between Aspect and ourselves.

Anyway, we would like to point out to you once again that **the fact that Aspect refuse the refund of £ 893.87 is illegal from the viewpoint of the Consumer Contract Regulation 2013 by which consumers have the right to cancel the order which was placed by online, email or telephone within 14 days cooling off period after receipt of the order.**

We would like to point out to you again that **the evidence of the order that you received from Aspect was just a booking confirmation for the order number J145306 but it was not a proof of the delivery of the order nor the proof of the service carried by them for us.** The fact is that we cancelled the order on 5th July and **Aspect has, since then, neither delivered the order to us nor carried out the bathroom demolition /renovation work for us.** Therefore, we reiterate that we have a legal right to cancel our order, which was placed by email on 28th June, within the 14-day cooling-off period even after the receipt of the order under **the Consumer Contracts Regulations 2013** and in our case **the order has neither been delivered by Aspect to us nor the services have been carried by them for us.**

Since there has been little progress on this issue over the last three months with your dispute investigation team, we would sincerely ask you to refer this case to your **Section 75 team of the Consumer Credit Act 1974.**

Thanking you,

Yours Sincerely,

Masaaki Takashima

(Documents attached)

- 1) Aspect Invoice no. INV-170509 dated 28/06/2023 for £ 4,032.00
- 2) Aspect Credit no. CCCR-011050 dated 31/08/2023 for £ 3,138.13
- 3) Aspect Receipt of payment dated 07/09/2023 for £ 893.87
- 4) Copies of all email exchanges between Aspect and us between 4th July through to 20th July 2023



help made easy

deposit invoice

0204 502 7541
enquiries@aspect.co.uk
aspect.co.uk

E7 Barwell Business Park, Leatherhead Road
Chessington, London, KT9 2NY

VAT Number: 854 0599 06

Masaaki Takashima

Flat 15, Earlsfield House, Royal Quarter, Seven Kings
Way
Kingston upon Thames
KT2 5BG
United Kingdom

Invoice Number	INV-170509
Invoice Date	28/06/2023
Account Number	A107322
Job Number	J-145306

Client PO Number:

Address: Flat 15, KT2 5BG
Contact: Masaaki Takashima

This is a deposit invoice for 50% of the quoted works. On completion of the works you'll be invoiced separately for the remaining balance.

Charges	Net	VAT	Total
Deposit for job J-145306	3360.00	672.00	4032.00

Please make payment to:

Name: Aspect Maintenance Services Ltd
Bank: BACS
Sort Code: 40-03-21
Account: 42030969
Terms: Non Payment could result in Legal Action

Net Total	3360.00
VAT	672.00
Invoice Total	4032.00

air con | carpentry | decorating | drainage | electrics | glazing | handyman | heating | leak detection | plumbing | roofing | and more

For a full list of accreditations, please visit www.aspect.co.uk/accreditations

Aspect Maintenance Services Limited. Registered in England No. 5296195. J1110520000

Here's your credit note

No Reply <noreply@aspect.co.uk>

2023/09/07 (木) 9:32

宛先:masaaki.takashima@outlook.com <masaaki.takashima@outlook.com>



credit

02045027541
enquiries@aspect.co.uk
aspect.co.uk

E7 Barwell Business Park, Leatherhead Road
Chessington, London, KT9 2NY

VAT Number: 854 0599 06

Masaaki Takashima
Flat 15
Kingston upon Thames
KT2 5BG
United Kingdom

Credit Number	CCR-011050
Credit Date	31/08/2023
Job Number	J-145306
Account Number	A107322

Reference: J-145306 -
Address: Flat 15, KT2 5BG
Contact: Masaaki Takashima

Description	Sub-Total	VAT	Total
INV-170509	GBP 2,615.11	GBP 523.02	GBP 3,138.13

Net Total	GBP 2,615.11
VAT	GBP 523.02
Credit Total	GBP 3,138.13

[air con](#) | [carpentry](#) | [decorating](#) | [drainage](#) | [electrics](#) | [glazing](#) | [handyman](#) | [heating](#) | [leak detection](#) | [plumbing](#) | [roofing](#) | [and more](#)

For a full list of accreditations, please visit www.aspect.co.uk/accreditations

Aspect Maintenance Services Limited. Registered in England No. 5296195. J1110520000

Payment received for INV-170509

No Reply <noreply@aspect.co.uk>

2023/09/07 (木) 9:32

宛先:masaaki.takashima@outlook.com <masaaki.takashima@outlook.com>



Thank you!

Hi Masaaki,

We've received your payment of GBP 893.87. This brings the total outstanding balance to GBP 0.00. We've sent your invoice in a separate email.

Thank you for choosing Aspect.

Account number A107322

Job number J-145306

Invoice number INV-170509

PROPERTY ADDRESS	BALANCE
Flat 15	Received
Kingston upon Thames	GBP 893.87
KT2 5BG	Outstanding
United Kingdom	GBP 0.00

SUPPORT

Got a question?
We're here to help

BOOK AGAIN

Book online
to receive 10% off
(not applicable to credit
accounts)

From emergency repairs to large scale refurbishment work and everything in between, we're here to help. If you have any questions about your order please get in touch or take a look at our full list of [trades](#).

For more information read our [terms and conditions](#).

Help made easy.



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www.aspect.co.uk

Aspect Maintenance Services Limited, E7 Barwell Business Park, Leatherhead Road, Chessington, London, KT9 2NY

Re: J-145306

高嶋 正明

2023/07/20 (木) 9:09

宛先: Meghana Sankara <Meghana.Sankara@aspect.co.uk>

Dear Ms Meghana Sankara
Aspect

Thanks for your email. This matter has been brought to the attention of Amex, who has suspended the payment to you and they will contact you in due course.

Attached please see the details of the payment dispute with you.

[終活関連資料 \(shukatsuweb.net\)](http://shukatsuweb.net)

Thank you in advance for your good understanding of this matter,

Regards
Masaaki Takashima

差出人: Meghana Sankara <Meghana.Sankara@aspect.co.uk>**送信日時:** 2023年7月19日 12:11**宛先:** 高嶋 正明 <masaaki.takashima@outlook.com>**件名:** Re: J-145306

Hi Masaaki,

Hope this email finds you well.

Unfortunately, you have cancelled the job on the day it was supposed to be started where all the parts and materials required for the job has been bought.

We are unable to process the full refund. However, we can proceed in the following ways:

1. We can attempt to return the parts and materials purchased back to the suppliers and the charge you the requisite amount with 10% on top to cover the costs.
2. You may collect the parts and materials from our office, and I'll be able to process the refund for the balance based on my previous email.

Please let me know how you wish to proceed.

Thank you

From: 高嶋 正明 <masaaki.takashima@outlook.com>**Sent:** 14 July 2023 18:43**To:** Meghana Sankara <Meghana.Sankara@aspect.co.uk>**Subject:** Re: J-145306

**** THIS IS AN EXTERNAL EMAIL ****

Dear Ms Meghana Sankara

Aspect

Thanks for your email. I checked this matter with our legal expert and received following comments.

Quote

The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 outline the specific details regarding the right to a cooling-off period for online, phone, and mail order purchases. Here are some key points specified in the regulations:

Duration of the cooling-off period: Consumers have a minimum statutory cooling-off period of 14 calendar days from the day after they receive the goods or, in the case of services, from the day the contract is entered into.

Right to cancel without giving a reason: During the cooling-off period, consumers have the right to cancel the contract and return the goods without providing a specific reason. This applies to both goods and services.

Information about the right to cancel: Traders (sellers or service providers) are obligated to provide consumers with clear information about their right to cancel, including the duration of the cooling-off period and the process for exercising this right. This information must be provided in a durable form, such as in writing or by email.

Cost of returning goods: If consumers decide to exercise their right to cancel, they may be responsible for the cost of returning the goods, unless the trader agrees to cover this cost or fails to inform them of this requirement.

Refund obligations: Traders are generally required to refund consumers within 14 days of receiving the returned goods or evidence of the consumer's decision to cancel. This includes the cost of the goods and any delivery charges paid by the consumer at the time of purchase, with some exceptions for additional services.

Exceptions to the right of cancellation: The cooling-off period may not apply to certain types of goods or services, such as personalized or perishable items, sealed audio or video recordings, or digital downloads, if the consumer has already started using them.

Unquote

Judging from the comment from our legal expert, we believe followings.

- 1) We, as a consumer in the U.K., have cooling-off period of 14 days after we receive the goods if they are ordered online, phone or mail and we have legal right to cancel our orders within the cooling-off period of 14 days, which should be applicable to our case because we have not received your delivery from you yet.
- 2) Even though you mentioned that the materials are not refundable in your email of 14th July, you have never mentioned such your cancellation policy at the time of our order, which is obviously in breach of the legal requirement as a trader, i.e., " Information about the right to cancel: Traders (sellers or service providers) are obligated to provide consumers with clear information about their right to cancel, including the duration of the cooling-off period and the process for exercising this right. This information must be provided in a durable form, such as in writing or by email.
- 3) We sent our email to your Mr. Vithushan Hariharan on 5th July informing you of our intention to cancel our order. Therefore, you are obliged to issue your credit note within 14 days, i.e., before 19th July to cancel your invoice no. 170509 dated 28th June for job no. 145306.

We hope everything is clear to you and we expect to receive your credit note for the full amount of £ 4,032 without further delay.

Regards
Masaaki Takashima

差出人: Meghana Sankara <Meghana.Sankara@aspect.co.uk>
送信日時: 2023年7月14日 10:52
宛先: '高嶋 正明' <masaaki.takashima@outlook.com>
件名: RE: J-145306

Hi Masaaki,

Hope this email finds you well.

Further to your email, I wish to bring to your notice that the materials (non-refundable) have been ordered and delivered, before the job has been cancelled.

The cost of materials is £893.87 has been deducted from the amount of deposit. The refund of £3,138.13 has been processed and would reflect in your account within the next 2-4 working days.

Thank you

From: 高嶋 正明 [mailto:masaaki.takashima@outlook.com]
Sent: 14 July 2023 08:54
To: Meghana Sankara <Meghana.Sankara@aspect.co.uk>
Subject: Re: J-145306

**** THIS IS AN EXTERNAL EMAIL ****

Dear Ms Meghana Sankara
Aspect Maintenance Service

Will you please confirm receipt of our email sent to you yesterday and let us have your credit note as below.

Amount of credit note : £4,032.00

Reason of issuance of credit note : To cancel your invoice no. 170509 dated 28th June 2023 for the job no. J145306 - see email from your Mr. Vithushan Hariharan dated 5th July 2023

In the meantime, I have already contacted American Express and asked them to suspend the payment of £4,032 to you due to the above reasons.

Regards
Masaaki Takashima

差出人: 高嶋 正明 <masaaki.takashima@outlook.com>
送信日時: 2023年7月13日 8:43
宛先: Meghana.Sankara@aspect.co.uk <Meghana.Sankara@aspect.co.uk>
件名: Re: J-145306

Dear Ms Meghana Sankara

Aspect

We are still waiting for your reply to our email sent to you on 7th July regarding your credit note to cancel your invoice no. 170509 dated 28th June for the amount of £4,032.00.

Please let us have your credit note without further delay.

Regards

Masaaki Takashima

差出人: 高嶋 正明 <masaaki.takashima@outlook.com>
送信日時: 2023年7月7日 10:08
宛先: Meghana.Sankara@aspect.co.uk <Meghana.Sankara@aspect.co.uk>
件名: Re: J-145306

Dear Ms Meghana Sankara
Aspect

We are still waiting for your reply to our email sent to you yesterday. Please let us have your credit note to cancel your invoice no. 170509 dated 28th June for job no. 145306 for the amount of £4,032.00.

Please confirm.

Regards

Masaaki Takashima

Sent from [Outlook for iOS](#)

From: 高嶋 正明 <masaaki.takashima@outlook.com>
Sent: Thursday, July 6, 2023 1:59 pm
To: Meghana.Sankara@aspect.co.uk <Meghana.Sankara@aspect.co.uk>
Subject: Re: J-145306

Dear Ms Meghana Sankara
Aspect

Further to our email sent to you in this afternoon, we confirm to have received your credit No. CCR-010010 to cancel your invoice no. 171784 for job no. J-145306 for the amount of £4,032.00.

Will you also please send to us your credit to cancel your invoice no. 170509 dated 28th June, 2023 for the same job no. J-145306 for the same amount of £4,032.00.

We highly appreciate your prompt attention to this matter.

Regards

Masaaki Takashima

差出人: 高嶋 正明 <masaaki.takashima@outlook.com>
送信日時: 2023年7月6日 13:11
宛先: Meghana.Sankara@aspect.co.uk <Meghana.Sankara@aspect.co.uk>
件名: Fwd: J-145306

Dear Ms Meghana Sankara
Aspect

Many thanks for your email sent to me this morning.

In reply, we quote our email sent to you this morning and we confirm that job no. 145306 has been cancelled and agreed by your Mr. Vithushan Hariharan.

We hope everything is clear to you and confirm that you would cancel your invoices accordingly.

Regards
Masaaki Takashima

Sent from [Outlook for iOS](#)

From: 高嶋 正明 <masaaki.takashima@outlook.com>
Sent: Thursday, July 6, 2023 9:22 am
To: enquiries@aspect.co.uk <enquiries@aspect.co.uk>
Subject: Fw: J-145306

Aspect Maintenance Services Ltd.

Attached please see our email exchanges between your Mr. Vithushan Hariharan and myself regarding job no. 145306, which has now been cancelled.

Therefore, please cancel your following two invoices.

- 1) Invoice no. 170509 dated 28th June, 2023 for £4,032.00
- 2) Invoice no. 171784 dated 5th July, 2023 for £4,032.00

We hope everything is clear and confirm.

Regards
Masaaki Takashima
15, Earlsfield House, Royal Quarter, Seven Kings Way,
Kingston upon Thames, Surrey KT2 5BG

差出人: 高嶋 正明 <masaaki.takashima@outlook.com>
送信日時: 2023年7月5日 9:33
宛先: Vithushan Hariharan <Vithushan.Hariharan@aspect.co.uk>
件名: Re: J-145306

Dear Mr Vithushan Hariharan
Aspect

Thanks for your prompt reply.

For your reference, attached please see the comparison of price quotation from B&Q and Aspect. Price quotation from B&Q is for whole of en-suite bathroom including shower unit, shower door, shower base unit, basin, toilet, cabinets, wall / floor tiles etc.

Regards
Masaaki Takashima

差出人: Vithushan Hariharan <Vithushan.Hariharan@aspect.co.uk>
送信日時: 2023年7月5日 9:15
宛先: 高嶋 正明 <masaaki.takashima@outlook.com>
件名: Re: J-145306

Hello,

I understand completely, not to worry. If you don't mind me asking, how much was the other quotation for? Maybe we can look at matching the price or even beating?

Kind Regards,

Vithushan Hariharan

Sent from [Outlook for iOS](#)

From: 高嶋 正明 <masaaki.takashima@outlook.com>
Sent: Wednesday, July 5, 2023 9:12:41 AM
To: Vithushan Hariharan <Vithushan.Hariharan@aspect.co.uk>
Subject: Re: J-145306

**** THIS IS AN EXTERNAL EMAIL ****

Dear Mr VithushanHariharan
Aspect

We have gone through your price quotation of £8,064 for the renovation of our en-suite bathroom with the cost breakdown. Then, we would not go ahead with your plan. Honestly speaking, we have got better quotation from other vendors.

We feel sorry but please be guided as above accordingly.

Regards
Masaaki Takashima

差出人: 高嶋 正明 <masaaki.takashima@outlook.com>
送信日時: 2023年7月4日 10:18
宛先: Vithushan Hariharan <Vithushan.Hariharan@aspect.co.uk>
件名: Re: J-145306

Dear Mr Vithushan Hariharan
Aspect

Many thanks for your email with the cost breakdown of materials / labour / service charges. We will go through your quotation thoroughly and come back to you.

Thanks again,

Regards
Masaaki Takashima

差出人: Vithushan Hariharan <Vithushan.Hariharan@aspect.co.uk>
送信日時: 2023年7月4日 9:10
宛先: 'masaaki.takashima@outlook.com' <masaaki.takashima@outlook.com>
件名: J-145306

Hello,

Please find the full breakdown of the quote below.

Scope of work

Bathroom Suite / Sanitryware Installation

To apply protective sheeting to the working area.

To isolate supplies in preparation of works.

To decommission and remove the existing appliance, any waste is to be placed neatly in an agreed location with the client.

To adjust pipework to suit new installation.

To supply and install 1no.(.) appliance to existing location To connect & test supplies to the new installation.

To provide the client with manufacturer's instructions & any warranty registration cards provided with the product.

To leave the site clean and tidy.

To attend the site to remove, and replace the old shower tray/enclosure /tiles /shower valve and new basin including the tap

After removing the tray and tiles investigated a leak under the shower tray mentioned by the customer

The working area is to be prepared and covered by dust sheets

To finish the job in high quality and to leave the place tidy and clean

Materials

6sqm- gloss white tile 25cm-50cm
3- standard tile adhesive 20kg
1- Dakota levelling clips 2mm
1- Laticrete hydro ban
1-Orchard anti-slip rectangular white gloss shower tray
1-Macdee Wirquin 40mm slim shower tray waste
1-Alaska 550mm Semi Recessed Basin
1-Bosa Mono Basin Mixer Tap – Chrome-
1-Milton Sliding Shower Door

Costs

Labour – 46 hours (£95/hr) - £4,370.00

Materials - £2,030.00

Service fee - £320.00

VAT - £1,344.00

Total excluding VAT - £6,720.00

Total including VAT - £8,064.00

Vithushan Hariharan | Homeowner Operations Manager

vithushan.hariharan@aspect.co.uk | 020 3944 5944

E7, Barwell Business Park, Leatherhead Road, Chessington, KT9 2NY

aspect.co.uk

aspect



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