

Contractor threatens to sue HDC over payment delays



The HDC head office at South Quay, Port-of-Spain.

The Housing Development Corporation (HDC) is facing possible legal action after allegedly failing to pay a south contractor for six months of waste-disposal and bulk removal services.

Dirt B Gone Janitorial and Maintenance Services Ltd issued a pre-action protocol letter, but the HDC has requested additional time to "investigate" the matter.

However, owner Alick Anthony Charles has rejected that request and is preparing to take the State agency to court, saying the non-payment has caused severe financial strain.

"I have creditors, everybody at my doorstep. I have bills to pay, plus I have workers to see about.

They have to take into consideration their welfare.

"Christmas is coming, they need to get money to carry home to their families because these are low-income workers. Not always I could be taking money out of my own pocket to pay them," he said.

Charles' attorney, Kenneth Bradshaw of Bradshaw & Bradshaw Legal Solutions, wrote to the Permanent Secretary of the Housing Ministry and the HDC's managing director on November 24 seeking outstanding payments amounting to over \$100,000 for work at Ridgewood Gardens, Phase 2, Golconda.

According to Charles, he has not been paid for March, June, July, August, September, and November.

Bradshaw argued that HDC's failure to pay is a breach of contract and violates public procurement principles, noting that invoices marked "payment pending" or approved have gone unpaid for months.

He indicated that HDC had 14 days to respond or face legal action.

HDC, in a December 5 response, asked that any legal action be held "in abeyance" for one month to allow a comprehensive reply.

Charles has refused, saying the investigation referenced is "unparticularised and unsupported," and appears to be a delay tactic.

"In these circumstances, the use of the term 'investigation' without explanation suggests an attempt to delay an obligation that is already due, owing and acknowledged within HDC's own records," he said.

Charles, instead, agreed to only a seven-day extension for full payment, interest, and costs.

Contacted by Guardian Media, Housing Minister David Lee said he was unaware of the matter.

HDC's Corporate Communications Department, however, indicated that the query was sent to its Legal Department, but no response was received.

—Sascha Wilson