# SUPPLIED IN CONFIDENCE TO THE NSW I.C.A.C.

# [Service NSW 2021 COVID-19 Micro Business Grant] 'Retrospective Clawback and Extortion Scam'

[2022 - present]



# Witness Personal Account and Victim Impact Statement [Complainant #25]

The following written evidence received from Steven Ridd by email to <a href="steve@naturetrail.com.au">steve@naturetrail.com.au</a>.

[Emails (most recent at top)]

START OF EVIDENCE

\*

From:

Sent: Tuesday, 22 October 2024 2:35 PM

To: steve@naturetrail.com.au

Subject: Re: Service NSW Micro Business Grant clawback battle 'Chat Group' - thanks, I'm just

warming up

Far out they have a hide.. you should be allowed to use your own vehicle for your own business... absolute nonsense they are carrying on with..

I'm getting ready for another fine from them myself.. but will have to wait and see yet...

I bought 2 breeding kittens early this yr. I tried to register them with council. But because they're undesexed kittens council wants a fee every yr. But if I am a registered breeder with an association then I only get a one-off fee. However when trying to become a registered breeder with the association, I have to be a member for at least 6 months before becoming a breeder member. I called council. The fine is cheaper to pay than the yearly fee council wants so I decided to wait and IF I get fined well so be it. But after talking to my sister who now works for council and SNSW she said there's extreme penalties even loss of licence for not registering them with the per registry. The pet registry is now linked with Service NSW.. so this is to be continued.. My 6 months is now up as of tomorrow, I've submitted my questionnaire I had to fill out to become a breeder on Friday. They are

having the association meeting today, and I will be discussed in becoming a breeder. Council did eventually call back to say I could register them and after becoming a breeder they'd then change it but I didn't trust them enough and don't want to risk getting the council fees every yr... I reckon it's going to be here we go again- round 2.. (2)

I'll keep you posted!

did text me yesterday and let me know. I am SO relieved for her. We are going to catch up one day. I said to too I reckon once everyone is released from the micro business grant we should all meet up and have a get together to celebrate! Was thinking somewhere like Fagan Park, BYO Food & grog. I know there's people on the coast and is at work, you're in Blue Mountains and thought it would be pretty central for everyone???

How many altogether is exonerated now? Out of how many left to go?

Cheers

Sent from my iPhone

\*

From:

**Sent:** Sunday, **20 October 2024** 9:38 PM

To: steve@naturetrail.com.au

**Subject:** Re: Service NSW Micro Business Grant clawback battle

Ps...

If only the government would go to these lengths to catch ACTUAL criminals who do do the wrong thing, like drug dealers, theft and violence, "actual fraudsters" actual criminals, not innocent lawabiding citizens/small business owners, like us who just put their hands up when it was offered to us, for a bit of financial support seeing as THEY FORCED us to shut down.. then driving us to break down point... what the hell is this world coming to..

This all was just so so wrong on so many levels..

Sent from my iPhone

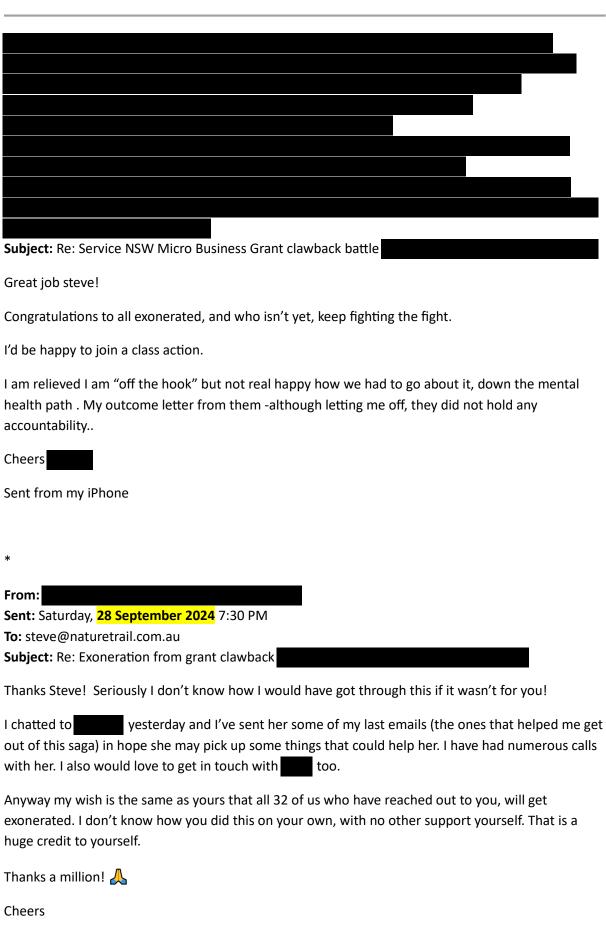
\*

From:

**Sent:** Sunday, **20 October 2024** 9:23 PM

To: steve@naturetrail.com.au

Cc:



Sent from my iPhone

\*

From:

Sent: Sunday, 8 September 2024 7:01 PM

To: steve@naturetrail.com.au

Subject: Re: Service NSW claw back scam - I'm reaching out to you two as fellow grant recipients to

facilitate communications

Hi Steve, sorry I missed your calls today. We've been out all day today.

All good I'm pretty sure we've discussed over the phone all the things in emails anyway.

I have my 2nd psychology appointment tomorrow. She said I need 3 visits to get a report. I'll send the report with letter to Sean (with no last name) to try and get this 12k debt eliminated.

Thanks

Sent from my iPhone

\*

From:

Sent: Monday, 2 September 2024 4:27 PM

To: steve@naturetrail.com.au

Subject: Re: Service NSW Scam - just back

Hi Steve, I forgot to ask you do you have an original copy of the terms and conditions from 2021? Or guidelines?

I'd like to prove that they have changed the terms and conditions. (Which is against the law.)

I printed one from your site, and sent that and one printed from nsw services this yr. and there's a link to 2021 Service NSW site on yours and when I pressed on that the site didn't exist anymore.. quite convenient for them..

kindest regards

Sent from my iPhone

\*

Dear

Thank you for your email.

We have forwarded your request for a hardship payment plan to our hardship team for further review.

Further supporting documentation and information will be requested from the team in order for them to be able to assess and approve an extended payment plan.

For further information please contact our office on 1300 655 805 and quote your reference number # . Our office hours are Monday - Friday 7am-7pm excluding public holidays.

Kind regards,

NarelleSupport Officer, Customer Channels – Fines & Debt Revenue NSW

Department of Customer Service p 1300 655 805 e

StateDebt@revenue.nsw.gov.au www.revenue.nsw.gov.au

Hi, I have gone through all the budgeting questions with Youyi from state debt revenue, when I called her on Wednesday morning. So she had saved all my info.

Regards

Sent from my iPhone

\*

From:

Sent: Wednesday, 14 August 2024 5:54 PM

To: steve@naturetrail.com.au

Subject: Here's the revenue letter "copy and pasted"

Hi Steve, I think the last one I sent you was screen shot.. this is a copied and pasted one, so it's all in one..

Dear

[Steve's Note: The following is an A.I. email from Service NSW]

?

Thank you for contacting Revenue NSW in relation to your Service NSW Programme Grant.

?

As per your phone call to our office on ?09 August 2024, to assist us in reviewing your case – please provide the following in PDF format as screenshots are not accepted:

?

• The last three months of bank statements for the months of (May, June & July 2024) for all accounts in your personal name

- The last three months of bank statements for the months of (May, June & July 2024) for all accounts in your company's name (if applicable)
  - A copy of your last quarterly Business Activity Statement
  - Proof of household income for all adults residing in the home

?

Please email your documentation within 14 days to <a href="mailto:StateDebt@revenue.nsw.gov.au">StateDebt@revenue.nsw.gov.au</a> or reply directly to this email.

?

Your invoice has been placed on hold until 23 August 2024.

Should you have any further queries please feel free to contact us on 1300 655 805.

?

Regards,

Brianna

Customer Support Officer, Customer Channels – Fines & Debt Revenue NSW Department of Customer Service p 1300 655 805 e <a href="mailto:stateDebt@revenue.nsw.gov.au"><u>StateDebt@revenue.nsw.gov.au</u></a> <u>www.revenue.nsw.gov.au</u>

Sent from my iPhone=

\*

----Original Message-----

From:

Sent: Tuesday, 13 August 2024 7:55 AM

To: steve@naturetrail.com.au

Subject: Re: Service NSW Grant Claw Back - suggested actions

Hey Steve,

Do you know if Service NSW asked for any extensions for the audits at all and if they were approved?

Thanks

Sent from my iPhone

\*

# 12-Aug-2024:





\*

From:

**Sent:** Monday, **12 August 2024** 2:30 PM

**To:** steve@naturetrail.com.au **Subject:** To The Hon Jihab Dib MP

Hi Steve,

Here's what I wrote to these guys:

To The Hon Jihab Dib MP
To The Hon Courtney Houssos
To Cassandra Gibbons
To Mark Hodges MP

I am writing to you to make a formal complaint against Service NSW, and I'm in complete & utter disgust of the way Service NSW audit scam (robo debt 2.0) has been trying to recoup money off innocent small businesses owners and sole traders. -(My business & others).

I believe they are targeting small businesses & home businesses. The "big corporation against the littlies" worse than school yard bullies!

I applied for the micro business grant in 2021, as my business was forced closed for 14 weeks due to covid lockdowns. I am a 1-person sole trader business that works from home. I applied with FULL honesty, and good intent with documents from my accountant. Service NSW approved my grant in 2021, with the basis that I had a letter from my registered accountant, and that I had over a 30% decline in turnover. (Mine was actually a 100% decline)

In the terms and conditions (under 3.3 (a) (b) & (c) (i) (ii) & (d) and in the micro business grant guidelines eligibility criteria section 3.1) I fit the criteria. I have an ABN number, and aggregated turnover of more than \$30k and a decline in turnover of over 30%, and this is based on the turnover of \$32,725 for 2020 Inc job keeper. Which was my "taxable income".

Service NSW knew EXACTLY what my figures were at the time. Also stated in my accountant's letter to Service NSW, dated the 2nd August 2021, was also noted that every year from 2014 to 2020 I have had a turnover of more than \$30k. My accountant's letters stated EACH tax income from those years. The only year I was under was in 2021, due to the lockdown. Pretty black and white the only reason I fell below was because of the 14-week lockdown from covid, hence applying for the micro business grant in the first place, it was there to help small businesses like mine. But now they are trying to take my grant back, along with so many other honest businesses. Service NSW are saying that job keeper is not included with the micro business grant. However "there is no exclusions in the eligibility guide lines nor the terms and conditions".

# SERVICE NSW APPROVED AND PAID ME A GRANT- (NOT A LOAN)

My legal person, has said in the eligibility criteria, and the terms and conditions there are NO exclusions of job keeper mentioned or written in either. Therefore the job keeper part does not exist. So my case in the "so called audit", should have been taken into consideration properly, and had a different outcome.

Service NSW is grasping at straws making rules up off their own back. Contracts cannot be reassessed on different rules as WE only knew what the rules were at the time in 2021, and would not have applied for it, if the rules are what Service NSW are claiming to be now.

Even without the job keeper, I had a decline of over 30%, and given that my business was not open for the whole yr, as my business closed in 2020 & 2021 due to lockdowns, it states in the eligibility criteria under Alternate circumstances, that I was able to do a reasonable estimate of what my yearly income would of been, and as my accountant used the governments websites, all within the terms and conditions, the micro business grant guidelines, and also the income and assessment act 1997, section 328.120 item 5.



# Commonwealth Consolidated Acts

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#### INCOME TAX ASSESSMENT ACT 1997 - SECT 328.120

#### Meaning of annual turnover

General rule

An entity's annual turnover for an income year is the total "ordinary income that the entity" derives in the income year in the ordinary course of carrying on a "business.

Exclusion of amounts relating to GST

(2) In working out an entity's \* annual turnover for an income year, do not include any amount that is \* non - assessable non - exempt income under section 17 - 5 (which is about GST).

Exclusion of amounts derived from sales of retail fuel

(3) In working out an entity's \*annual turnover for an income year, do not include any amounts of \*ordinary income the entity \*derives from sales of \*retail fuel.

Amounts derived from dealings with associates

(4) In working out an entity's \*annual turnover for an <u>income year</u>, the amount of \*<u>ordinary income</u> the entity \*derives from any dealing with an \*associate of the entity is the amount of <u>ordinary income</u> the entity would derive from the dealing if it were at \*arm's length.

Note: Amounts derived in an <u>income year</u> from any dealings between an entity and an associate that is a relevant entity within the meaning of section 328 - 115 are not included in the entity's aggregated turnover for that year: see <u>subsection</u> 328 - 115(3).

Business carried on for part of income year only

(5) If an entity does not carry on a \* business for the whole of an <u>income year</u>, the entity's \* annual turnover for the <u>income year</u> must be worked out using a reasonable estimate of what the entity's annual turnover for the <u>income year</u> would be if the entity carried on a business for the whole of the <u>income year</u>.

Regulations may provide for different calculation of annual turnover

(6) The regulations may <u>provide</u> that an entity's \* annual turnover for an <u>income year</u> is to be calculated in a different way, but only so that it would be less than the amount worked out <u>under</u> this section.

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My reasonable income estimate would have been \$31,565 for the year (without JobKeeper) if I was NOT forced closed.

There was also alternate circumstances in the eligibility criteria, but they are just sticking to the one paragraph in the whole eligibility criteria, about the \$30-75k. The audit is disregarding the 30% or more decline in turnover, disregarding the reasonable estimates, disregarding alternate circumstances that is in the same eligibility criteria & terms and conditions documents. And they are now stating that you had to fit every criterion, which is ridiculous as no one fits every line written in the criteria. Each business & their circumstances are different.

If they denied me the grant in 2021, I could have applied for the hardship payment. But I now can't do this as it's not on offer anymore. They should have advised me back in 2021, so I could have done this.

They are doing this 3 yrs later. I have had a so-called "Internal Review", and they have deemed my business unsuccessful (according to these scam emails & phone calls).

This "so called audit" has been done by independent people employed by Service NSW, it is my understanding it's all based on commission, SO THEREFORE, it is a biased outcome, which none of them are qualified in tax, law, or financial auditing, so is illegitimate.

Before this review was over, I received a penalty notice stating I owed \$12,000. Like it was already in the system. I queried this, and got the reply "it is an automated response system" So I am rejecting this "so called" audit. And my reason is that it is based on a biased opinion of a non-legitimate person with no last name or office address, and no merit for what they are saying. These people calling are writing emails, and calling, harassing me, and demanding payments of large amounts.

Even on the penalty fines we have found errors, using different names and ABN's. Going under customer service which is a different identity from the Service NSW sector that originally granted my grant.

If this was done correctly by Service NSW, they would have already had all the supporting documentations, it would have had Service NSW logo on it, not customer service. We had to provide all information again. Like they didn't even have it in the first place. This is scam like, and could be coming from overseas or anywhere. If Service NSW did their job correctly the first place then this wouldn't be happening to me & all these other small micro businesses at the moment.

We know of 30 businesses combined to date, and more coming together each day, that are all in much the same boat and considering taking action. With a lot of them having mental health issues caused by Service NSW.

The treatment by Service NSW, has been threatening, intimidating, and their actions unconscionable. I consider Service NSW has failed completely and that their threatening letters with the "accusations" that I was being fraudulent is to be inaccurate, and is absolute nonsense. As they've concocted things to suit themselves.

Their calls and emails have been extremely intimidating. It has caused much stress, anxiety, and depression. Have they not learnt from the Robo debt and all the suicides that happened with that?

My last email from them wanting to know every adult in my household, their income and personal bank statements. Which is beyond belief that they are even asking this, since they are aiming the penalty at me, now wanting to also ATTACK my family too. Just disgraceful. I will not hand over anyone else's personal information. Under the law they would need to get a court order for it.

I find this completely uncalled for, especially when my family has always tried to save government money, sending our kids to private schools and having private health funds so the government does NOT have to pay for us, and we pay our due taxes, we work because there is satisfaction in working although we could of chosen to go on disability pensions in the past, but we did not, as we prefer to contribute to society and to our government, by working and paying our due taxes.

From what my legal person has told me, I and my business, have FULLY complied with all the eligibility criteria and terms and conditions. And I supplied all supporting documents.

Service NSW CONFIRMED my approval back in 2021, which meant my application was duly assessed and approved. If not, they need to admit their mistake in writing to me, because I have NOT committed anything such as fraud.

When I asked why they accepted it in the first place, they say that this was an "act of grace" Hmmm... not much grace in this, is there? Pretty laughable really.

Act of grace- means they've done something helpful. This certainly has NOT been helpful, anything but, the opposite, more like detrimental to our small businesses that will suffer. There is NO grace in that.

So this audit, is illegally engaging in debt collection with no warrant or credit to it. Treating people as if we are guilty unless proven innocence. Are we even in Australia? Because this is not Australian behaviour!!!

All the case numbers and reference numbers on this matter are made up and fake.

Small businesses put more than half a trillion dollars to the economy. How many small businesses will close their doors if we all have to pay back this amount of money. (I know mine may do so, and then what tax will they be getting?)

Around 43 per cent of small businesses failed to make a profit and 75% of small business owners take home LESS THAN THE AVERAGE WAGE. So asking us all to pay back large amounts of money like this, is just ridiculous.

It is known that the NSW government is lacking on funds, so grasping at straws, targeting & scrutinising the "smaller" businesses is not only discriminative but also feudalism at its finest.

I urge you to stop Service NSW:

- Bullying the hard-working small business owners.
- Stop the biased and commission based internal reviews immediately! -Sack these people that are doing this, -intimidating innocent victims.
- Stop the penalty notices coming before the internal reviews are finished.
- Stop wasting the government money (our tax paying \$) on a senseless act from Service NSW

Educate Service NSW on Service & about how to treat people with the respect and
consideration, not as a criminals but as a civilised human beings. (here is the meaning of
SERVICE-the action of helping or doing work for someone, assistance or advice given to
customers during and AFTER the sales of goods.

• To stop using people that have no tax law or legal financial auditing knowledge.

#### Regards

Sent from my iPhone

\*

From:

**Sent:** Monday, **12 August 2024** 3:10 PM

To: steve@naturetrail.com.au

- all communication sent between myself and Service NSW & state revenue.

Dear

We refer to your Dispute dated 4 July 2024 of the decision made on the application for Micro **Business Support Grant 2021 for** on 10 August 2021 by Service NSW. acknowledge receipt of your dispute. We will commence an Independent Internal Review and will notify you with the outcome of that review within 28 calendar days from the date of this email. If we require any clarification from you regarding the information provided, then we will contact you within this timeframe. All action will be suspended on your file until this review has been completed. Your Dispute involves conducting an Independent Internal Review which involves reviewing the information and evidence provided in your initial application and consideration of any new and additional information / evidence which you have provided with your request for an Independent Internal Review. If you have any additional information or evidence that you would like to be considered in this independent internal review, please provide via return email within 5 business days. As discussed in our phone call today please find a list of supporting documents relating to the Micro Business Support Grant 2021:Evidence?that the business has?a national aggregated annual turnover of more than \$30,000 and less than \$75,000

- letter from a qualified accountant, registered tax agent or registered BAS agent
- Business Activity Statement (BAS)
- business bank account statement (separate from any personal accounts)
- Australian tax return (businesses can choose to redact their tax file number)

• a profit and loss statement from an accounting software for a minimum three-month period during the 2019-20 financial year, **AND**:

- an annotated personal bank statement for the same minimum three-month period, OR
- a 2019-20 personal income tax return. (Note: there is no requirement to disclose tax file numbers and businesses should redact their tax file number where possible.)

Please be advised that the outcome of your Dispute will be final and there will be no further avenue for review by Service NSW. Please wait until the 28 calendar days from the date of this email has expired before you contact us for information regarding your review. Sincerely Ellen Customer Payments Support Service NSW T 13 77 88



ref: :ref

\*

----Original Message-----

From:

Sent: Sunday, 11 August 2024 2:49 PM

To: steve@naturetrail.com.au

Subject: Re: I'm yet another micro business grant business being scrutinised - call me.

Sorry Steve,

But do I send something like this back to the debt recovery? Or do I do nothing until I hear from them again? Or send it to Service NSW?

I have contacted a legal person who has informed me that -

- 1. This sounds like a scam.
- 2. Not to pay & not to reply, unless it's in writing, on a Service NSW letter head.
- 3. The eligibility criteria, states that I was supposed to be in the \$30-75k which I was on my tax return. And that this a sort of scam where who ever has sent me these emails, saying that job keeper isn't taken into consideration, there is NOTHING in the eligibility that states that it isn't. So I was/am

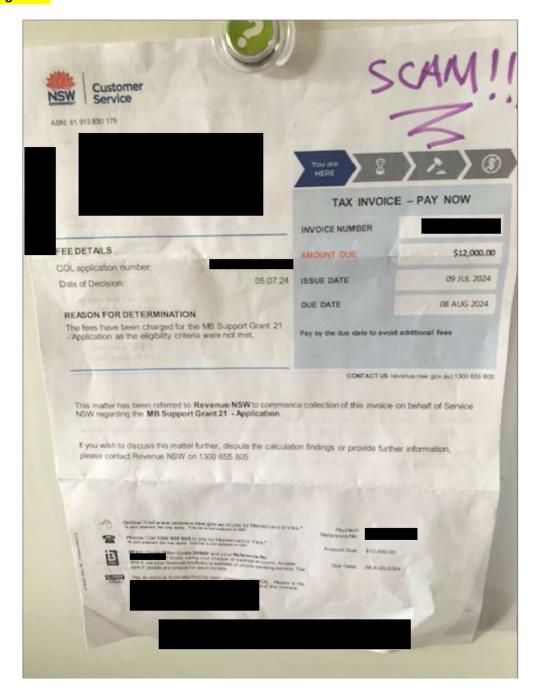
within my rights of eligibility and even if I wasn't at the time I applied for it the rules stated that people could apply for it under the 30% decline rule, and mine was a 100% decline.

- 4. You will not recieve any further info from me, unless you have a court order for it.
- 5. That the audit people are based on commissions therefore it was biased based outcome.
- 6. If I wasn't eligible for it at the time, they should have declined me AT THE TIME, and that way it would have given me a chance to apply for hardship relief.
- 6. To pay this amount would be detrimental to my business.
- 7. To send me emails asking for other household members income and bank statements is unethical. And just scam like behaviour trying to claw money. You have all the information that I have given you.

Sent from my iPhone

\*

# 11-Aug-2024:



----Original Message-----

From:

Sent: Saturday, 10 August 2024 9:02 PM

To: steve@naturetrail.com.au

Subject: Re: I'm yet another micro business grant business being scrutinised - call me.

Thanks for your reply and call, I did call back but i am on a private number.

I'll try you again tomorrow. My audit has finished and they're demanding I pay and if you read that last email they now want everyone's income in my household which I think is a bit much seeing as I am the one they're after. And I'm not willing to give them this doesn't involve him at all.

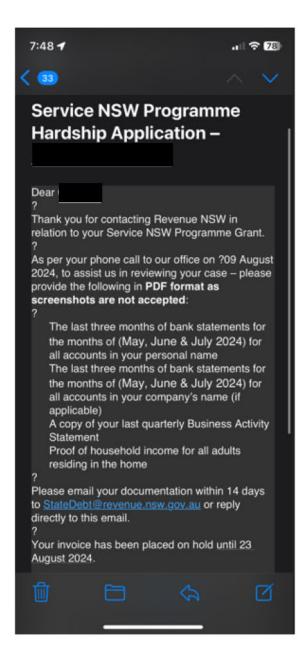
I am at a loss what to do from here.. 📳

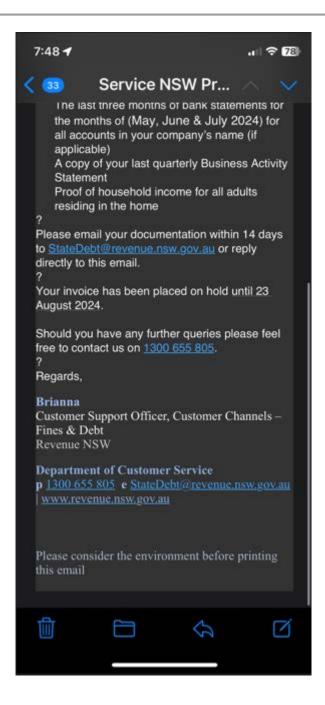
We've just finished paying off a large tax bill too, which was convenient timing from them to now hit me up right now. And when we least can afford it. I'm not sure what else to do, except reach out to you. I have read your blogs as Sounds all too familiar. But I know you guys had solicitors and that yours has been successful. Where mine hasn't... ??? So I don't know what to do but pay.. ??? I'd love to chat. I've thought about joining a class action against them, but don't know if there is one??

Thanks so much

\*

## 10-Aug-2024:





\*

From:

Sent: Saturday, 10 August 2024 7:49 AM

To: steve@naturetrail.com.au

Subject: Re: I'm yet another micro business grant business being scrutinised.

Sent from my iPhone

> On 10 Aug 2024, at 6:50 AM, wrote:

>> \* there was also "alternate circumstances that you could apply.

>> Sent from my iPhone

\*

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

From:

Sent: Saturday, 10 August 2024 6:43 AM

To: steve@naturetrail.com.au

Subject: I'm yet another micro business grant business being scrutinised.

Hi Steve,

My name is , I am a sole trader, owner operator of who wks from home, and have undergone an internal review, and it's been unsuccessful. 😥 I've earned over 30k every yr for past 10yrs, except for covid lockdown yrs. Although on my tax return for 2020, was \$32,725, which the micro business grant was based on, but now Service NSW is saying job keeper is not counted, (although it was counted when paying tax on it) therefore I fell just below at \$26,565. But when applying for the grant I submitted a letter from my accountant, with everything upfront to them in regards that I was below the amount but I had more than 30% decline in turn over (which I had 100% decline) and they approved it with this knowledge. (THEY KNEW) I have had the same letters sent to me, with the words fraudulent in them. I've supplied all my tax returns in proving that my business makes over 30k, and cash books, and my accountant helped me write letters back etc. the audit has ended, and they're saying I'm unsuccessful as I did not make over 30k. However because I was shut down for 14 weeks and I did move in 2021, so was closed for business for around 23 weeks, we tried to use the income assement act 1997 section 328.120 item 5, that if a business was not open for the full yr, then a reasonable estimate of what my business would of made if opened for the full year wld of been \$31,595.

But they've declined me and said that I have to pay. Meanwhile a week or 2 into the review they also sent me the PAY NOW state revenue letter stating I owed the \$12k by 9th august 2024.

However I screenshot that sent it to my "auditor" named Ellen, and she paused it. Now they're saying I have till the 20th august 2024 to pay or going on a plan.

I think I do have to pay it??? Or would you be kind enough to have any other advice to give me before I do??

I did ask why was I granted the grant in the first place expecting them to own THEIR MISTAKE, but state revenue said they were able to make an "act of grace" bloody bullshit alright.. no act of grace asking for money back 3 yrs later, in this economy where life is now so unaffordable... I understand why so many people have committed suicide over it.. down-right scammy and ruining people's lives!!

I feel exactly like how you do about Service NSW, I've been emotionally drained and infuriated by Service NSW. They shouldn't have the word "service" in it.. as it's not.. shameful..

Kindest regards



Sent from my iPhone=

\*

On <mark>9 Aug 2024</mark>, at 1:32 PM, wrote:

Sent from my iPhone

Dear Cheksea,

Thank you for your email and the information you have provided.

Service NSW is permitted to make act of grace payments in facilitation of delivering NSW Government initiatives, including (but not limited to):

Business Grant Program
 Micro-Business Grant Program
 JobSaver Payment Program
 NSW
 Mouse Control Program
 Dine and Discover Voucher Scheme
 Small Business Fees and Charges
 Rebate Scheme
 Return to Work Program
 Flood Disaster Recovery Small Business Program
 Northern Beaches Small Business Hardship Scheme.

Following a review of your grant application, it has been determined that you are not entitled to the funds you received for this grant. This could be for a number of reasons, including breaching the terms & conditions or not meeting the eligibility requirements.

Service NSW have completed your review and have advised that your fees of \$12,000.00 are correct and payable.

Service NSW advised: "Decision stands. Basis of decision: Customer has not demonstrated the business meets the aggregated annual turnover of more than \$30,000 and less than \$75,000 for the year ended 30 June 2020 with Income Tax Return FY 2019-2020 showing that the total business income was \$26,725.00. Based on the Australian Tax Office website, JobKeeper payments (although they are ordinary income, they are not earned in the ordinary course of business). Therefore, they cannot be included in the calculation of aggregated turnover."

To avoid further debt recovery action, I have placed your account on hold until 20 August 2024to allow you to make payment of this account.

If you are unable to pay these fees in full, we can offer you a Payment Plan with fortnightly payments. Please contact our office to discuss your options.

For further information please contact our office on 1300 655 805 and quote your reference number 2713416.

Kind regards,

Kristy Support Officer, Customer Channels – Fines & Debt Revenue NSW | Department of Customer Service|

1300 655 805 www.revenue.nsw.gov.au

\*

Hi, so the government forced my business closed for 14 weeks in 2021, and offered no help at all, and now expects me to pay \$12,000 out of my just over \$30,000 salary. Nice to know that my government does NOT support me.

I'd like to request a hardship plan.



Sent from my iPhone

\*

Sent from my iPhone

On 9 Aug 2024, at 12:50 PM, statedebt@revenue.nsw.gov.auwrote:



Thank you for your email.

We have forwarded your request for a hardship payment plan to our hardship team for further review.

Further supporting documentation and information will be requested from the team in order for them to be able to assess and approve an extended payment plan.

For further information please contact our office on 1300 655 805 and quote your reference number #8410271341661. Our office hours are Monday - Friday 7am-7pm excluding public holidays.

Kind regards,

NarelleSupport Officer, Customer Channels – Fines & Debt Revenue NSW

Department of Customer Service p 1300 655 805 e

StateDebt@revenue.nsw.gov.au www.revenue.nsw.gov.au

Hi, I have gone through all the budgeting questions with Youyi from state debt revenue, when I called her on Wednesday morning. So she had saved all my info.



Sent from my iPhone

\*

Hi, I am replying as I have been advised by a legal person, and since I have complied with the eligibility criteria, and the terms and conditions from Service NSW with the micro business grant & I've supplied all documents to you.

Hence why I am rejecting the Service NSW "audit" as it's not a legitimate financial audit, this is a scam as I've been dealing with anonymous people with no last names, no office addresses, and since you required me to provide you, with all my information that Service NSW already had from initial applications tells me that you needed it again because you never had it in the first place, as you are not who you say you are.

Service NSW emailed me with a confirmation that my application was assessed and approved at the time when I applied for it, and you can't change your own contract and cannot reassess (as if it wasn't approved in the first place)

In the eligibility criteria and the terms and conditions it does not say that job keeper was to be excluded. So just with that alone I am within my rights. Also you could apply under the 30% decline in turnover. Which at the time of applying was acceptable, and with using the governments laws of the income assessment act setion 328.120, item 5. I still am within my rights of applying. I fit all 3 ways for getting the micro business grant. End of story.

I have considered Service NSW failed to justify its empty accusations that the grant application in the eligibility were not met and this is baseless accusation.

Service NSW paid me the grant.

I will not be paying any amount as it's invalid, and am prepared to take further legal action against you if you continue to illegally pursue me, intimidate, and harass me.

For Service NSW to be treating me and businesses like mine, as if we are criminals is criminal itself.

Regards



Sent from my iPhone

\*

To Whom It May Concern,

Copy of Profit & Loss/Income statements (from Accountant tax return MYOB software) for 2014 to 2020 to show that business income was over \$30,000 and below \$75,000 for every year from 2014 to 2019.

I was originally under the impression that:

If you look at the Income Tax Assessment Act 1997 Sect 328.120 (5) meaning of annual turnover (attached for your records). If an entity does not carry on a business for the whole of the income year, the entity's annual turnover for the income year must be worked out using a reasonable estimate of what the entity's annual turnover for the income year would be if the entity carried on a business for the whole of the income year.

I did not carry on my business for the whole year as I was forced to cease trading due to covid restrictions. Therefore, I have estimated my annual turnover as follows:

As I work 3 days per week x number of weeks worked (in 2020) which was 50 = 150 days. The business ceased trading for 23 days due to covid so the total days of trading 127.

Income  $$26,725/127 \times 150 = $31,565$  if business did not cease for 23 days due to covid restrictions this would be the reasonable estimate of the business annual turnover for 2020.

Copy of 2020 Cashbook also attached showing details of annual turnover for the year which matches Accountant 2020 Profit & Loss, & Accountants letter.

Please contact me if you need any further information.

Regards



#### PLEASE NOTE-

When originally applying for this grant I am led to believe that the letter from my accountant was given at the time of application for it, and I was approved for the grant. If Service NSW believed I wasn't entitled to the grant then I'm at a loss of understanding why this was granted to me, in the first place.

The only years in the past 10yr period, I have made fractionally under \$30,000, is when covid happened in 2020 & 2021. Because of COVID. All other years have been above \$30,000. It is black & white why I fell below ONLY on those years.

It also stated that in the eligibility criteria that in situations that there wasn't any other form of help offered that I could apply for it. I could not apply through Centrelink as that was more for employees and not for small businesses like mine that generally makes more than \$30,000.

Also under "Alternate circumstances" in the eligibility criteria for the micro business grant, it says if businesses were not open for the whole year, then a "reasonable estimate" would be acceptable, and my reasonable.

I have not provided BAS statements as I do not meet BAS criteria.

I have not provided bank statements as I do not have a business account. And my intake into my personal account from my salon does not reflect a true indication of my intake, as it is under what I actually make, because I received cash amounts hence why I have supplied my cash book as it is an accurate indicator of what I make. The cash would not appear on my statements.

A grant is a grant, not a loan.

Regards

Sent from my iPhone

\*

On 8 Aug 2024, at 9:48 AM, statedebt@revenue.nsw.gov.au wrote:

Dear Cheksea,

Thank you for your email and the information you have provided.

Service NSW is permitted to make act of grace payments in facilitation of delivering NSW Government initiatives, including (but not limited to):

Business Grant Program
 Micro-Business Grant Program
 JobSaver Payment Program
 NSW
 Mouse Control Program
 Dine and Discover Voucher Scheme
 Small Business Fees and Charges
 Rebate Scheme
 Return to Work Program
 Flood Disaster Recovery Small Business Program
 Northern Beaches Small Business Hardship Scheme.

Following a review of your grant application, it has been determined that you are not entitled to the funds you received for this grant. This could be for a number of reasons, including breaching the terms & conditions or not meeting the eligibility requirements.

Service NSW have completed your review and have advised that your fees of \$12,000.00 are correct and payable.

Service NSW advised: "Decision stands. Basis of decision: Customer has not demonstrated the business meets the aggregated annual turnover of more than \$30,000 and less than \$75,000 for the year ended 30 June 2020 with Income Tax Return FY 2019-2020 showing that the total business income was \$26,725.00. Based on the Australian Tax Office website, JobKeeper payments (although they are ordinary income, they are not earned in the ordinary course of business). Therefore, they cannot be included in the calculation of aggregated turnover."

To avoid further debt recovery action, I have placed your account on hold until 20 August 2024 to allow you to make payment of this account.

If you are unable to pay these fees in full, we can offer you a Payment Plan with fortnightly payments. Please contact our office to discuss your options.

For further information please contact our office on 1300 655 805 and quote your reference number 2713416.

Kind regards,

Kristy Support Officer, Customer Channels – Fines & Debt Revenue NSW | Department of Customer Service|

1300 655 805www.revenue.nsw.gov.au

Please consider the environment before printing this email

\*

#### On **5 Aug 2024, at 8:14 PM**,

wrote:

So the government forced me closed due to their lock down after they let the virus into the country and have offered me no help whatsoever??? What other help was there for me? Now I'll be working 2/3 to 1/2 a yr to pay back what they initially approved me for fulling knowing that I was slightly under, also paying it back now 3yrs later when affordability of living is ridiculously expensive. I don't know how you government people sleep at night knowing you are doing this to people. Please inform me what help I was to get???

Regards

Sent from my iPhone

\*

On <mark>5 Aug 2024,</mark> at 6:23 PM,

wrote:







By Email:	

## Internal review of your application for the Micro Business Grant 2021

Dear ,

I refer to your application for abovementioned grant made on 2 August 2021 and your request dated 4 July 2024 for a review of the decision made about your application. You have requested an internal review on your application as you disagree with the audit outcome that was communicated to you by Service NSW.

I am authorised by delegation of the Minister for Customer Service and Digital Government under section 5.7(4) of the Government Sector Finance Act 2018, to conduct a review of and determine a final outcome for your application, in accordance with the terms and conditions set by the Minister for this Program.

During the review, the following information was considered:

- your initial application dated 2 August 2021
- your request for review dated 4 July 2024
- further evidence supplied on 14 July 2024, 18 July 2024
- statements made via email on 14 July 2024, 16 July 2024, 18 July 2024, 23 July 2024

Your eligibility has been considered against the following:

- Micro Business Grant 2021 Terms and Conditions dated 24 July 2024, which was in force as at the date of your initial application, and
- Micro Business Grant 2021 Guidelines dated 24 July 2024, which was in force as at the date
  of your initial application.

#### Internal review outcome

I confirm that following an audit of the application conducted by Service NSW, you were deemed to be ineligible for payment under this grant program. Based on the information provided at the initial application and for the purpose of this internal review that decision of ineligible stands.

As a result, you are still required to repay the monies paid to you initially, as per the fee invoice issued to you under reference number for the amount of \$12,000.00. If you require assistance with repayment of those monies or are encountering financial hardship, please contact Revenue NSW on 1300 655 805 to discuss options.

#### Internal review considerations

#### **Annual Turnover**

- 3. Eligibility criteria
- 3.1 Businesses and not-for-profit organisations impacted by the Public Health Order will be eligible if:

they had an aggregated annual turnover of more than \$30,000 and less than \$75,000 for the year ended 30 June 2020:

they have business costs for which there is no other government support available;

they have not applied for either the 2021 COVID-19 Business Grant, or the JobSaver scheme;

#### **Customer Submitted:**

- Professional Business Income Schedule B 2020 Page 1 of 1, submitted to the ATO for applicant Gross Business Income: \$ 26,725.00, Job Keeper Payment \$6,000.00
- Customer Copy Individual Tax Return FY2019-2020 for the applicant
  - Total Business Income \$32,
  - Job Keeper: \$6,000.00
  - Actual Business Income: \$26,

Based on the Australian Tax Office website, JobKeeper payments, although they are ordinary income, they are not earned in the ordinary course of business. Therefore, they cannot be included in the calculation of aggregated turnover.

#### Conclusion of your matter

I appreciate this is not the outcome you were seeking, and that this may be disappointing. It is the responsibility of Service NSW to ensure grants are provided to customers that meet and can demonstrate their compliance with the eligibility criteria in the Terms and Conditions.

The outcome of this review is final and there is no further avenue for review by Service NSW. If you are dissatisfied with the way Service NSW has handled your application, audit, or review, you may lodge a complaint through our website at <a href="https://www.service.nsw.gov.au/contact-us/customer-complaints">https://www.service.nsw.gov.au/contact-us/customer-complaints</a>.

Yours sincerely

Laura

**Customer Payments Support Team – Internal Reviews** 

For and on behalf of the Director Customer Payments

5 August 2024



GPO Box 7057 Sydney NSW 2001

service.nsw.gov.au 13 77 88 2



Dear

We refer to your Dispute dated 4 July 2024 of the decision made on the application for Micro Business Grant 2021 for on 2 August 2021 by Service NSW.

We have completed our Independent Internal Review of your Dispute and the outcome is contained in the attached letter.

Please be advised that the outcome of this Independent Internal Review is final and there is no further avenue for review by Service NSW.

If you are dissatisfied with the way Service NSW has managed your application, you may lodge a complaint through our website on <a href="https://www.service.nsw.gov.au/contact-us/customer-complaints">www.service.nsw.gov.au/contact-us/customer-complaints</a>

Yours sincerely

Customer Payments Support Team - Internal Reviews For and on behalf of the Director of Customer Payments

Service NSW

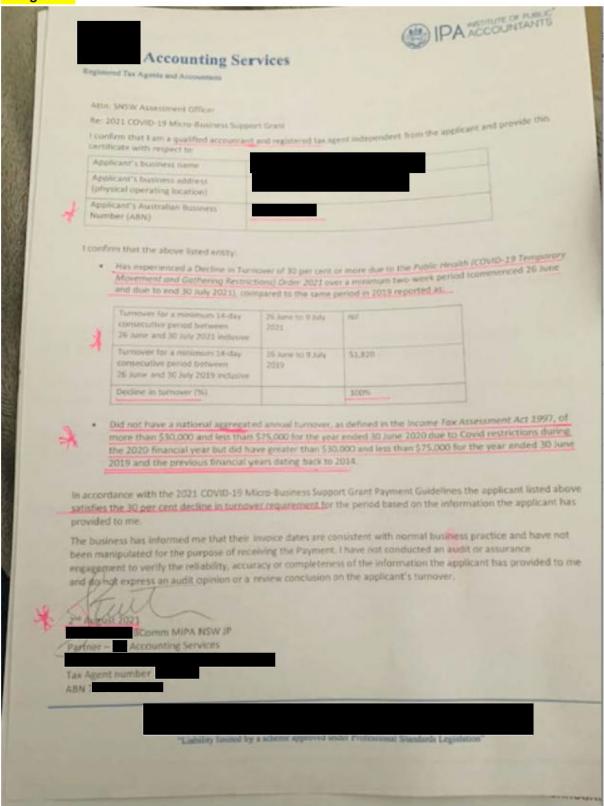
**T** 137788

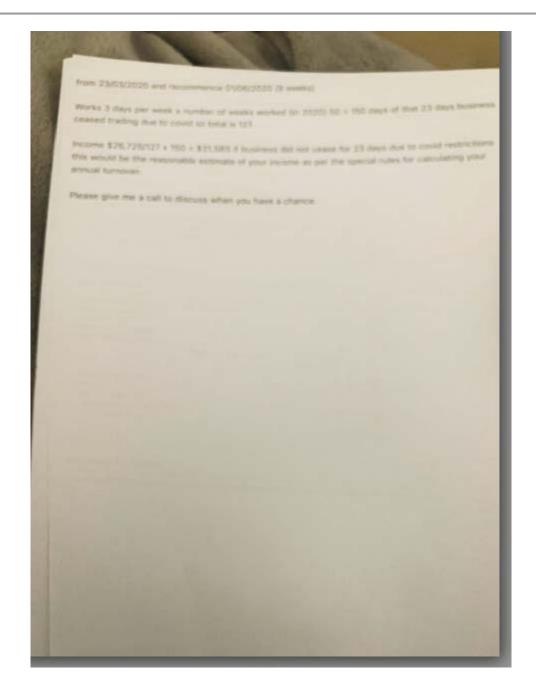


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#### 2-Aug-2024:





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On **23 Jul 2024**, at 7:19 AM, wrote:

Also, my Dad ended up going into heart failure, because of covid 19, he was due for an aortic valve replacement in a Sydney hospital, that got forced to be cancelled by the lockdowns but after the lockdowns he went into heart failure and could not receive that surgery anymore he cld of still been alive if he had had that surgery. Thanks to the pandemic.

Regards

Sent from my iPhone

\*

On **23 Jul 2024**, at 7:28 AM, wrote:



application for Micro Business Grant 2021 for on 2 August 2021 by Service NSW. We have completed our Independent Internal Review of your Dispute and the outcome is contained in the attached letter. Please be advised that the outcome of this Independent Internal Review is final and there is no further avenue for review by Service NSW. If you are dissatisfied with the way Service NSW has managed your application, you may lodge a complaint through our website on <a href="https://www.service.nsw.gov.au/contact-us/customer-complaintsYours">www.service.nsw.gov.au/contact-us/customer-complaintsYours</a> sincerely Customer Payments Support Team - Internal Reviews For and on behalf of the Director of Customer Payments Service NSWT 137788

We refer to your Dispute dated 4 July 2024 of the decision made on the



ref: :ref		
Added micro business grant guide li	nes	
[Steve's Note: considerably modified	ed by Service NSW since	original version]
added micro business grant terms a	nd conditions.	
[Steve's Note: considerably modified	ed by Service NSW since	original version]
*		

2020 & 2021, throughout the pandemic, I have followed every rule and regulation, set by the government regarding the lockdowns and safety procedures. There is also more evidence on my throughout the lockdowns. Initially for of me closing , the first rule in the 1st lockdown, for was a 1 person for 1/2 hr appointment. But then it changed to 1 person per 4m rule, open air if possible, and masks and sanitiser. There was also a QR requirement and I had to mark my business covid safe, which I did & followed.. But I had a lot of people who were over 70, and health conditions or knew someone with health problems, and people who did not want to come to have their , because of all the concern about covid, so I lost too many clients, i did do very few/little but it wasn't worth it and therefore it was no point staying open risking my own life and my family's as I were is from home. My son and I are asthmatics. I didn't want it. My dad (now deceased) had COPD so I didn't want to risk getting it and if and when lockdown lifted I wanted to go and see him. So therefore I closed my business in 2020. When I applied for job keeper in 2020 my turnover lossed over the 30%. So I received that. Which is also why I was below in 2020, I m not sure as to why Service NSW based those amounts in the eligibility on the 2020 turnovers anyway as it's not a true indicator of what people were normally making per yr anyway. But I did think that 2019 turnover was considered, but It really should of been based on 2019 BEFORE the pandemic. When applying for 2021 financial help I called Centrelink first which they said they couldn't help me, I was not an employee, which is then why I applied for micro business grant, because I am a micro business, that makes over 30k (as long as the pandemic wasn't around), which is then why Service NSW asked me to supply letter from accountant which I did. That letter as mentioned, had evidence of the date at the time of applying for it, that I was below the 30k but above 30k every yr from 2014-2019. I feel Service NSW are focused on the 1 paragraph where it states the amounts between \$30-75k. But it also said that it was there for people that there was no other help for. And reasonable estimates. And Service NSW approved it in the first place.

Ok Thankyou. It eases my mind a little. This revenue letter was really distressing. As looking back on

IF I have to pay back 12k, that would mean that the government forced closure on me in 2021, for

trying to re coup from people who haven't done the right thing, and have scammed them, but I know I have followed the rules. And I was upfront & honest with Service NSW. And they approved it.

These letters from Service NSW containing words in it like "fraudulent", and then getting the revenue letter stating PAY BY THIS DATE OR they will take money out of my accounts (good luck with that as there's nothing in there to take) or taking part of my house if I don't pay I found to be quite "scare mongering tactics" and I feel like I'm being attacked by Service NSW and I don't know why, as I followed the rules. It's like guilty until proven innocent. This was a grant to HELP me in a time of crisis. The government let this virus into the country, forced me to close my business, offered help gave help but now trying to take that help back 3 yrs later... it doesn't seem right... ??? They're spending all this money on trying to recoup \$, and all for a number of few scammers, that now the government is looking at small businesses like we are the scammers, the ones that HAVE done the right thing, hasn't this crisis cost the government enough? How much money is the government wasting on this out of our TAX paying \$.

We put our kids through private schools (not costing the government \$) & we go without MANY things to do this, we don't live extravagant life at all... we also pay for health insurance (not costing the government \$) so when I needed help, they gave it but wanting to take it back!!! The ONLY help I've received from the government, because we were in a pandemic... if I make just over \$30k and have to pay back 12k, I will be working between a 1/3 to a 1/2 a yr just to pay this back, I don't have any money to pay back, and right when the affordability of living is absolutely outrageous, I might as well lay my scissors down.. why wk at all...? Might as well apply for the dole or disability pension, as I have been for 33yrs and have arm problems but I have continued to carry on working anyway, (does this sound like someone trying to screw the government?) but maybe it's not worth it anymore...?

I wrote the letter of complaint to our local member about Service NSW, in relation to these letters as I just feel it's really unfair, it's like they are looking at me as I'm a criminal or something, which I have always tried to be a law-abiding citizen as I have high standards, & good Christian values. It's really unsettling, and extremely stressful & causing depression.

Regards

Count from way inhou

Sent from my iPhone

\*

# 22 Jul 2024:

To Ellen,

Why have I received this penalty when I'm still apparently under review?

Regards

On **22 Jul 2024**, at 8:39 PM, Service NSW Customer Support < <u>customersupport@service.nsw.gov.au</u>> wrote:



Dear

Thank you for your email

Sorry to hear about the letter from Revenue, it appears this was an automated email sent out prior to Service NSW raising an action to place your account on hold

I have contacted Revenue and asked they place your account on hold whilst the review process is underway and confirmed that all action is suspended on your file until this review has been completed**Sincerely** 

Ellen

Customer Payments Support Service NSW T 13 77 88



ref: :

Proof of lockdown rules for	2020.	

Sent from my iPhone

\*

On **14 Jul 2024**, at 6:39 AM, wrote:

Another note-

The date on the accountant's letter specifies the date 2nd august 2021, this was just after I applied initially for the micro business grant in the July of 2021. I needed this letter to see if I would be able/eligible to receive the micro business grant or not, given that the amount was below in the 2020 turnover amount. My figures for 2020 turnover was/is on this same letter at the initial time of applying for the grant. And Service NSW accepted and acknowledged this, and granted the grant to me.

Sent from my iPhone

\*



We have received the additional information/ evidence that you have submitted, and we will consider this during our Internal Review.

We have commenced an internal Review and will notify you with the outcome of that review with 28 calendar days from the acknowledgement email dated 9 July 2024

Please be advised that the outcome of your Dispute will be final and there will be no further avenue for review by Service NSW.

Please wait until the 28 calendar days from the date of this email has expired before you contact us for information regarding you review.

Sincerely,

Ellen

Customer Payments Support team - Internal Reviews On behalf of Director of Customer Payments Service NSW

T 13 77 88



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Dear place process, We refer to your Dispute dated 4 July 2024 of the decision made on the application for Micro Business Grant 2021 for a place on 2 August 2021 by Service NSW. We have completed our Independent Internal Review of your Dispute and the outcome is contained in the attached letter. Please be advised that the outcome of this Independent Internal Review is final and there is no further avenue for review by Service NSW. If you are dissatisfied with the way Service NSW has managed your application, you may lodge a complaint through our website on <a href="https://www.service.nsw.gov.au/contact-us/customer-complaintsYours">www.service.nsw.gov.au/contact-us/customer-complaintsYours</a> sincerely Customer Payments Support Team - Internal Reviews For and on behalf of the Director of Customer Payments Service NSWT 137788



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I then clicked on link and sent a complaint to Service NSW.

So the government forced me closed due to their lock down after they let the virus into the country and have offered me no help whatsoever??? What other help was there for me? Now I'll be working 2/3 to 1/2 a yr to pay back what they initially approved me for fulling knowing that I was slightly under, also paying it back now 3yrs later when affordability of living is ridiculously expensive. I don't know how you government people sleep at night knowing you are doing this to people. Please inform me what help I was to get???

Regards	
Sent fro	m my iPhone

\*

Dear place property, We refer to your Dispute dated 4 July 2024 of the decision made on the application for Micro Business Grant 2021 for a property on 2 August 2021 by Service NSW. We have completed our Independent Internal Review of your Dispute and the outcome is

contained in the attached letter. Please be advised that the outcome of this Independent Internal Review is final and there is no further avenue for review by Service NSW. If you are dissatisfied with the way Service NSW has managed your application, you may lodge a complaint through our website on <a href="https://www.service.nsw.gov.au/contact-us/customer-complaintsYours">www.service.nsw.gov.au/contact-us/customer-complaintsYours</a> sincerely Customer Payments Support Team - Internal Reviews For and on behalf of the Director of Customer Payments Service NSWT 137788



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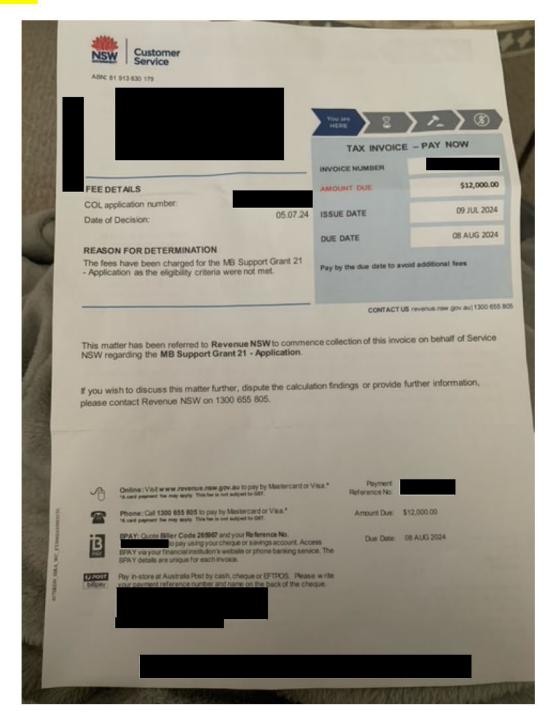
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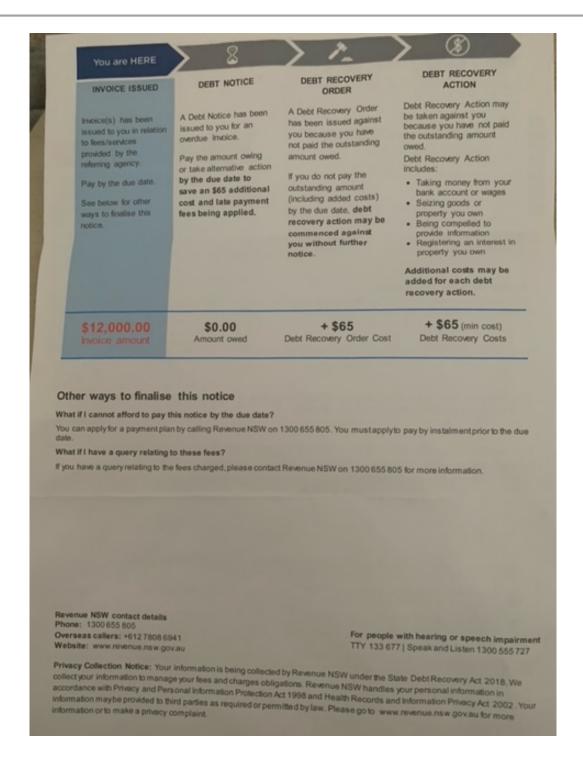


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# 9 Jul 2024:





# End of supplied evidence

This document submitted by Steven Ridd, Managing Director, Wistmans Wood Holdings Pty Limited [ACN 600 331 931] as trustee for Wistmans Wood Trust [ABN 51 965 308 493 ] trading as Nature Trail. Registered Address: 5 Kundibar Street KATOOMBA NSW 2780.]

By email <a href="mailto:icac@icac.nsw.gov.au">icac@icac.nsw.gov.au</a>



Level 7, 255 Elizabeth Street Sydney, New South Wales Australia